

House File 667

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AN ACT

RELATING TO AND MAKING APPROPRIATIONS FOR HEALTH AND HUMAN SERVICES TO THE DEPARTMENT OF ELDER AFFAIRS, THE IOWA DEPARTMENT OF PUBLIC HEALTH, THE DEPARTMENT OF INSPECTIONS AND APPEALS, THE DEPARTMENT OF HUMAN SERVICES, AND THE COMMISSION OF VETERANS AFFAIRS, AND PROVIDING EFFECTIVE DATES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I  
ELDER AFFAIRS

Section 1. DEPARTMENT OF ELDER AFFAIRS. There is appropriated from the general fund of the state to the department of elder affairs for the fiscal year beginning July 1, 2003, and ending June 30, 2004, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For aging programs for the department of elder affairs and area agencies on aging to provide citizens of Iowa who are 60 years of age and older with case management for the frail elderly, the retired and senior volunteer program, resident advocate committee coordination, employment, and other services which may include, but are not limited to, adult day services, respite care, chore services, telephone reassurance, information and assistance, and home repair services, including the winterizing of homes, and for the construction of entrance ramps which make residences accessible to the physically handicapped, and for salaries, support, administration, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions with the department of elder affairs:

.....	\$	2,653,222
.....	FTEs	25.50

1. Funds appropriated in this section may be used to supplement federal funds under federal regulations. To receive funds appropriated in this section, a local area agency on aging shall match the funds with moneys from other sources according to rules adopted by the department. Funds appropriated in this section may be used for elderly services not specifically enumerated in this section only if approved by an area agency on aging for provision of the service within the area.

2. Of the funds allocated under this section and any other state funds allocated for aging programs of the area agencies on aging not more than 7.5 percent of the total amount allocated shall be used for area agencies on aging administrative purposes.

3. It is the intent of the general assembly that the Iowa chapters of the Alzheimer's association and the case management program for the frail elderly shall collaborate and cooperate fully to assist families in maintaining family members with Alzheimer's disease in the community for the longest period of time possible.

4. The department shall maintain policies and procedures regarding Alzheimer's support and the retired and senior volunteer program.

DIVISION II  
PUBLIC HEALTH

Sec. 2. DEPARTMENT OF PUBLIC HEALTH. There is appropriated from the general fund of the state to the Iowa department of public health for the fiscal year beginning July 1, 2003, and ending June 30, 2004, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. ADDICTIVE DISORDERS		
For reducing the prevalence of use of tobacco, alcohol, and other drugs, and treating individuals affected by addictive behaviors, including gambling, and for not more than the following full-time equivalent positions:		
.....	\$	1,277,947
.....	FTEs	13.75

a. The department shall continue to coordinate with substance abuse treatment and prevention providers regardless

3 5

3 6 of funding source to assure the delivery of substance abuse  
3 7 treatment and prevention programs.

3 8 b. The commission on substance abuse, in conjunction with  
3 9 the department, shall continue to coordinate the delivery of  
3 10 substance abuse services involving prevention, social and  
3 11 medical detoxification, and other treatment by medical and  
3 12 nonmedical providers to uninsured and court-ordered substance  
3 13 abuse patients in all counties of the state.

3 14 c. The department and any grantee or subgrantee of the  
3 15 department shall not discriminate against a nongovernmental  
3 16 organization that provides substance abuse treatment and  
3 17 prevention services or applies for funding to provide those  
3 18 services on the basis that the organization has a religious  
3 19 character. The department shall report to the governor and  
3 20 the general assembly on or before February 1, 2004, regarding  
3 21 the number of religious or other nongovernmental organizations  
3 22 that applied for funds in the preceding fiscal year, the  
3 23 amounts awarded to those organizations, and the basis for any  
3 24 refusal by the department or grantee or subgrantee of the  
3 25 department to award funds to any of those organizations that  
3 26 applied.

3 27 2. ADULT WELLNESS

3 28 For maintaining or improving the health status of adults,  
3 29 with target populations between the ages of 18 through 60, and  
3 30 for not more than the following full-time equivalent  
3 31 positions:

3 32 ..... \$ 260,582  
3 33 ..... FTEs 23.85

3 34 3. CHILD AND ADOLESCENT WELLNESS

3 35 For promoting the optimum health status for children and  
4 1 adolescents from birth through 21 years of age, and for not  
4 2 more than the following full-time equivalent positions:

4 3 ..... \$ 835,959  
4 4 ..... FTEs 44.15

4 5 4. CHRONIC CONDITIONS

4 6 For serving individuals identified as having chronic  
4 7 conditions or special health care needs, and for not more than  
4 8 the following full-time equivalent positions:

4 9 ..... \$ 1,036,805  
4 10 ..... FTEs 11.15

4 11 5. COMMUNITY CAPACITY

4 12 For strengthening the health care delivery system at the  
4 13 local level, and for not more than the following full-time  
4 14 equivalent positions:

4 15 ..... \$ 1,287,158  
4 16 ..... FTEs 25.10

4 17 Of the funds appropriated in this subsection, \$100,000 is  
4 18 allocated for a child vision screening program implemented  
4 19 through the university of Iowa hospitals and clinics in  
4 20 collaboration with community empowerment areas.

4 21 6. ELDERLY WELLNESS

4 22 For optimizing the health of persons 60 years of age and  
4 23 older, and for not more than the following full-time  
4 24 equivalent positions:

4 25 ..... \$ 9,470,754  
4 26 ..... FTEs 4.35

4 27 7. ENVIRONMENTAL HAZARDS

4 28 For reducing the public's exposure to hazards in the  
4 29 environment, primarily chemical hazards, and for not more than  
4 30 the following full-time equivalent positions:

4 31 ..... \$ 349,547  
4 32 ..... FTEs 8.50

4 33 8. INFECTIOUS DISEASES

4 34 For reducing the incidence and prevalence of communicable  
4 35 diseases, and for not more than the following full-time  
5 1 equivalent positions:

5 2 ..... \$ 977,340  
5 3 ..... FTEs 36.90

5 4 9. INJURIES

5 5 For providing support and protection to victims of abuse or  
5 6 injury, or programs that are designed to prevent abuse or  
5 7 injury, and for not more than the following full-time  
5 8 equivalent positions:

5 9 ..... \$ 1,412,918  
5 10 ..... FTEs 7.75

5 11 Of the funds appropriated in this subsection, \$660,000  
5 12 shall be credited to the emergency medical services fund  
5 13 created in section 135.25.

5 14 10. PUBLIC PROTECTION

5 15 For protecting the health and safety of the public through  
5 16 establishing standards and enforcing regulations, and for not

5 17 more than the following full-time equivalent positions:  
5 18 ..... \$ 6,510,871  
5 19 ..... FTEs 149.10  
5 20 a. The department may expend funds received from licensing  
5 21 fees in addition to amounts appropriated in this subsection,  
5 22 if those additional expenditures are directly the result of a  
5 23 scope of practice review committee's unanticipated litigation  
5 24 costs arising from the discharge of an examining board's  
5 25 regulatory duties. Before the department expends or encumbers  
5 26 funds for a scope of practice review committee or for an  
5 27 amount in excess of the funds budgeted for an examining board,  
5 28 the director of the department of management shall approve the  
5 29 expenditure or encumbrance. The amounts necessary to fund any  
5 30 unanticipated litigation or scope of practice review committee  
5 31 expense in the fiscal year beginning July 1, 2003, shall not  
5 32 exceed 5 percent of the average annual fees generated by the  
5 33 boards for the previous two fiscal years. The funds  
5 34 authorized for expenditure pursuant to this lettered paragraph  
5 35 are appropriated to the department for the purposes described  
6 1 in this paragraph.  
6 2 b. For the fiscal year beginning July 1, 2003, the  
6 3 department shall retain fees collected from the certification  
6 4 of lead inspectors and lead abaters pursuant to section  
6 5 135.105A to support the certification program; and shall  
6 6 retain fees collected from the licensing, registration,  
6 7 authorization, accreditation, and inspection of x-ray machines  
6 8 used for mammographically guided breast biopsy, screening, and  
6 9 diagnostic mammography, pursuant to section 136C.10 to support  
6 10 the administration of the chapter. The department may also  
6 11 retain fees collected pursuant to section 136C.10 on all  
6 12 shippers of radioactive material waste containers transported  
6 13 across Iowa if the department does not obtain funding to  
6 14 support the oversight and regulation of this activity, and for  
6 15 x-ray radiology examination fees collected by the department  
6 16 and reimbursed to a private organization conducting the  
6 17 examination. Fees retained by the department pursuant to this  
6 18 lettered paragraph are appropriated to the department for the  
6 19 purposes described in this lettered paragraph.  
6 20 c. The department may retain and expend not more than  
6 21 \$297,961 for lease and maintenance expenses from fees  
6 22 collected pursuant to section 147.80 by the board of dental  
6 23 examiners, the board of pharmacy examiners, the board of  
6 24 medical examiners, and the board of nursing in the fiscal year  
6 25 beginning July 1, 2003, and ending June 30, 2004. Fees  
6 26 retained by the department pursuant to this lettered paragraph  
6 27 are appropriated to the department for the purposes described  
6 28 in this lettered paragraph.  
6 29 d. The department may retain and expend not more than  
6 30 \$100,000 for reduction of the number of days necessary to  
6 31 process medical license requests and for reduction of the  
6 32 number of days needed for consideration of malpractice cases  
6 33 from fees collected pursuant to section 147.80 by the board of  
6 34 medical examiners in the fiscal year beginning July 1, 2003,  
6 35 and ending June 30, 2004. Fees retained by the department  
7 1 pursuant to this lettered paragraph are appropriated to the  
7 2 department for the purposes described in this lettered  
7 3 paragraph.  
7 4 e. If a person in the course of responding to an emergency  
7 5 renders aid to an injured person and becomes exposed to bodily  
7 6 fluids of the injured person, that emergency responder shall  
7 7 be entitled to hepatitis testing and immunization in  
7 8 accordance with the latest available medical technology to  
7 9 determine if infection with hepatitis has occurred. The  
7 10 person shall be entitled to reimbursement from the funds  
7 11 appropriated in this subsection only if the reimbursement is  
7 12 not available through any employer or third-party payor.  
7 13 f. The board of dental examiners may retain and expend not  
7 14 more than \$148,060 from revenues generated pursuant to section  
7 15 147.80. Fees retained by the board pursuant to this lettered  
7 16 paragraph are appropriated to the department to be used for  
7 17 the purposes of regulating dental assistants.  
7 18 g. The board of medical examiners, the board of pharmacy  
7 19 examiners, the board of dental examiners, and the board of  
7 20 nursing shall prepare estimates of projected receipts to be  
7 21 generated by the licensing, certification, and examination  
7 22 fees of each board as well as a projection of the fairly  
7 23 apportioned administrative costs and rental expenses  
7 24 attributable to each board. Each board shall annually review  
7 25 and adjust its schedule of fees so that, as nearly as  
7 26 possible, projected receipts equal projected costs.  
7 27 h. The board of medical examiners, the board of pharmacy

7 28 examiners, the board of dental examiners, and the board of  
7 29 nursing shall retain their individual executive officers, but  
7 30 are strongly encouraged to share administrative, clerical, and  
7 31 investigative staffs to the greatest extent possible.

7 32 i. For the fiscal year beginning July 1, 2003, the board  
7 33 of nursing may retain and expend 90 percent of the revenues  
7 34 generated from any increase in licensing fees pursuant to  
7 35 section 147.80 for purposes related to the state board's  
8 1 duties, including but not limited to addition of full-time  
8 2 equivalent positions. Fees retained by the board pursuant to  
8 3 this lettered paragraph are appropriated to the board of  
8 4 nursing for the purposes described in this paragraph.

8 5 11. RESOURCE MANAGEMENT

8 6 For establishing and sustaining the overall ability of the  
8 7 department to deliver services to the public, and for not more  
8 8 than the following full-time equivalent positions:

8 9 ..... \$ 666,717  
8 10 ..... FTEs 53.15

8 11 12. The university of Iowa hospitals and clinics under the  
8 12 control of the state board of regents shall not receive  
8 13 indirect costs from the funds appropriated in this section.

8 14 13. A local health care provider or nonprofit health care  
8 15 organization seeking grant moneys administered by the Iowa  
8 16 department of public health shall provide documentation that  
8 17 the provider or organization has coordinated its services with  
8 18 other local entities providing similar services.

8 19 14. a. The department shall apply for available federal  
8 20 funds for sexual abstinence education programs.

8 21 b. It is the intent of the general assembly to comply with  
8 22 the United States Congress' intent to provide education that  
8 23 promotes abstinence from sexual activity outside of marriage  
8 24 and reduces pregnancies, by focusing efforts on those persons  
8 25 most likely to father and bear children out of wedlock.

8 26 c. Any sexual abstinence education program awarded moneys  
8 27 under the grant program shall meet the definition of  
8 28 abstinence education in the federal law. Grantees shall be  
8 29 evaluated based upon the extent to which the abstinence  
8 30 program successfully communicates the goals set forth in the  
8 31 federal law.

8 32 Sec. 3. GAMBLING TREATMENT FUND == APPROPRIATION.

8 33 1. There is appropriated from funds available in the  
8 34 gambling treatment fund established in the office of the  
8 35 treasurer of state pursuant to section 99E.10 to the Iowa  
9 1 department of public health for the fiscal year beginning July  
9 2 1, 2003, and ending June 30, 2004, the following amount, or so  
9 3 much thereof as is necessary, to be used for the purpose  
9 4 designated:

9 5 a. Addictive disorders

9 6 To be utilized for the benefit of persons with addictions:

9 7 ..... \$ 1,690,000

9 8 b. It is the intent of the general assembly that from the  
9 9 moneys appropriated in this section, persons with a dual  
9 10 diagnosis of substance abuse and gambling addictions shall be  
9 11 given priority in treatment services.

9 12 c. Gambling treatment program

9 13 The funds remaining in the gambling treatment fund after  
9 14 the appropriation in paragraph "a" is made shall be used for  
9 15 funding of administrative costs and to provide programs which  
9 16 may include, but are not limited to, outpatient and follow-up  
9 17 treatment for persons affected by problem gambling,  
9 18 rehabilitation and residential treatment programs, information  
9 19 and referral services, education and preventive services, and  
9 20 financial management services.

9 21 2. For the fiscal year beginning July 1, 2003, and ending  
9 22 June 30, 2004, from the tax revenue received by the state  
9 23 racing and gaming commission pursuant to section 99D.15,  
9 24 subsections 1, 3, and 4, an amount equal to three-tenths of  
9 25 one percent of the gross sum wagered by the pari-mutuel method  
9 26 is to be deposited into the gambling treatment fund.

9 27 Sec. 4. VITAL RECORDS. The vital records modernization  
9 28 project as enacted in 1993 Iowa Acts, chapter 55, section 1,  
9 29 as amended by 1994 Iowa Acts, chapter 1068, section 8, as  
9 30 amended by 1997 Iowa Acts, chapter 203, section 9, 1998 Iowa  
9 31 Acts, chapter 1221, section 9, and 1999 Iowa Acts, chapter  
9 32 201, section 17, and as continued by 2000 Iowa Acts, chapter  
9 33 1222, section 10, 2001 Iowa Acts, chapter 182, section 13, and  
9 34 2002 Iowa Acts, Second Extraordinary Session, chapter 1003,  
9 35 section 104, shall be extended until June 30, 2004, and the  
10 1 increased fees to be collected pursuant to that project shall  
10 2 continue to be collected and are appropriated to the Iowa  
10 3 department of public health until June 30, 2004.

10 4 Sec. 5. SCOPE OF PRACTICE REVIEW PROJECT. The scope of  
10 5 practice review committee pilot project as enacted in 1997  
10 6 Iowa Acts, chapter 203, section 6, and as continued by 2002  
10 7 Iowa Acts, Second Extraordinary Session, chapter 1003, section  
10 8 107, shall be extended until June 30, 2004. The Iowa  
10 9 department of public health shall submit an annual progress  
10 10 report to the governor and the general assembly by January 15  
10 11 and shall include any recommendations for legislative action  
10 12 as a result of review committee activities. The department  
10 13 may contract with a school or college of public health in Iowa  
10 14 to assist in implementing the project.

10 15 Sec. 6. HEALTH CARE ACCESS PARTNERSHIP PILOT PROJECT.

10 16 1. The director of public health shall establish a health  
10 17 care access partnership pilot project in a county with a  
10 18 population of more than 250,000 for a two-year period. The  
10 19 director shall adopt rules as necessary to establish and  
10 20 administer the pilot project. In adopting rules, the director  
10 21 shall consult with persons and agencies who may be involved  
10 22 with a health care access partnership and with the department  
10 23 of human services.

10 24 2. The purpose of the health care access partnership pilot  
10 25 project is to implement systems of health care services for  
10 26 low-income persons or persons without health insurance  
10 27 coverage, and others, by enhancing collaboration between  
10 28 persons and agencies providing charity care or services under  
10 29 the medical assistance program.

10 30 3. The elements of the partnership pilot project shall  
10 31 include but are not limited to all of the following:

10 32 a. A person participating in the partnership may be a  
10 33 public, private, for-profit, or nonprofit entity.

10 34 b. Participation provisions shall be outlined in a written  
10 35 agreement between those participating. If authorized under  
11 1 chapter 28E, a chapter 28E agreement may be utilized for all  
11 2 or a portion of the participant provisions.

11 3 c. If a participant in the partnership is a medical  
11 4 assistance program provider, the participant must be a medical  
11 5 assistance program provider in good standing and must accept  
11 6 medical assistance reimbursement as full payment for any  
11 7 service provided. Unless expressly prohibited by the federal  
11 8 government, a medical assistance program provider offering  
11 9 services in the area served by the partnership shall be  
11 10 required to participate in the partnership as a condition of  
11 11 participation in the medical assistance program.

11 12 d. Participants shall be authorized to share confidential  
11 13 information if the sharing is in the best interests of a  
11 14 client and the client has provided written authorization for  
11 15 the information sharing. If it is determined that the optimal  
11 16 approach for the information sharing is for the participants  
11 17 to establish a multidisciplinary community services team under  
11 18 section 331.909, notwithstanding section 331.909, subsection  
11 19 4, the participants may disclose information other than oral  
11 20 information with one another.

11 21 e. A referral process among the participants shall be  
11 22 established.

11 23 f. The geographic area to be served by those participating  
11 24 in the agreement shall be identified in the agreement and may  
11 25 encompass the entire county.

11 26 g. Provision shall be made for receipt and expenditure of  
11 27 funding for the joint purposes of those participating or for  
11 28 clients of those participating and for receiving and expending  
11 29 funding received from foundations, grants, or other revenue  
11 30 sources.

11 31 h. Provision to allow the partnership to form any  
11 32 governance structure that is appropriate to the purposes of  
11 33 the partnership and that meets all federal or state statutory  
11 34 requirements for the specific elements of the partnership's  
11 35 charter.

12 1 4. If administrative rules are necessary to implement the  
12 2 provisions of this section, the initial rules shall be adopted  
12 3 on or before September 1, 2003. The director of public health  
12 4 may adopt the initial rules as emergency rules under section  
12 5 17A.4, subsection 2, and section 17A.5, subsection 2,  
12 6 paragraph "b", and the rules shall be effective immediately  
12 7 upon filing unless the effective date is delayed by the  
12 8 administrative rules review committee, notwithstanding section  
12 9 17A.4, subsection 5, and section 17A.8, subsection 9, or a  
12 10 later date is specified in the rules. Any rules adopted in  
12 11 accordance with this subsection shall not take effect before  
12 12 the administrative rules review committee reviews the rules.  
12 13 Any rules adopted in accordance with this subsection shall  
12 14 also be published as a notice of intended action as provided

12 15 in section 17A.4.

12 16 DIVISION III  
12 17 HUMAN SERVICES

12 18 Sec. 7. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK

12 19 GRANT. There is appropriated from the fund created in section  
12 20 8.41 to the department of human services for the fiscal year  
12 21 beginning July 1, 2003, and ending June 30, 2004, from moneys  
12 22 received under the federal temporary assistance for needy  
12 23 families block grant pursuant to the federal Personal  
12 24 Responsibility and Work Opportunity Reconciliation Act of  
12 25 1996, Pub. L. No. 104=193 and successor legislation, which are  
12 26 federally appropriated for the federal fiscal years beginning  
12 27 October 1, 2002, and ending September 30, 2003, and beginning  
12 28 October 1, 2003, and ending September 30, 2004, the following  
12 29 amounts, or so much thereof as is necessary, to be used for  
12 30 the purposes designated:

12 31 If the federal government appropriation received for Iowa's  
12 32 portion of the federal temporary assistance for needy families  
12 33 block grant amounts for the federal fiscal years beginning  
12 34 October 1, 2002, and ending September 30, 2003, and beginning  
12 35 October 1, 2003, and ending September 30, 2004, are less than  
13 1 \$131,524,959, it is the intent of the general assembly to act  
13 2 expeditiously during the 2004 legislative session to adjust  
13 3 appropriations or take other actions to address the reduced  
13 4 amount. Moneys appropriated in this section shall be used in  
13 5 accordance with the federal law making the funds available,  
13 6 applicable Iowa law, appropriations made from the general fund  
13 7 of the state in this Act for the purpose designated, and  
13 8 administrative rules adopted to implement the federal and Iowa  
13 9 law:

13 10 1. To be credited to the family investment program account  
13 11 and used for assistance under the family investment program  
13 12 under chapter 239B:

13 13 ..... \$ 51,492,790

13 14 2. To be credited to the family investment program account  
13 15 and used for the job opportunities and basic skills (JOBS)  
13 16 program, and implementing family investment agreements, in  
13 17 accordance with chapter 239B:

13 18 ..... \$ 13,412,794

13 19 3. For field operations:

13 20 ..... \$ 14,152,174

13 21 4. For general administration:

13 22 ..... \$ 3,238,614

13 23 5. For local administrative costs:

13 24 ..... \$ 2,122,982

13 25 6. For state child care assistance:

13 26 ..... \$ 21,145,765

13 27 a. Of the funds appropriated in this subsection, \$200,000  
13 28 shall be used for provision of educational opportunities to  
13 29 registered child care home providers in order to improve  
13 30 services and programs offered by this category of providers  
13 31 and to increase the number of providers. The department may  
13 32 contract with institutions of higher education or child care  
13 33 resource and referral centers to provide the educational  
13 34 opportunities. Allowable administrative costs under the  
13 35 contracts shall not exceed 5 percent. The application for a  
14 1 grant shall not exceed two pages in length.

14 2 b. Of the funds appropriated in this subsection, the  
14 3 maximum amount allowed under Pub. L. No. 104=193 and successor  
14 4 legislation shall be transferred to the child care and  
14 5 development block grant appropriation. Funds appropriated in  
14 6 this subsection that remain following the transfer shall be  
14 7 used to provide direct spending for the child care needs of  
14 8 working parents in families eligible for the family investment  
14 9 program.

14 10 7. For the parental involvement program established in  
14 11 section 217A.1, if enacted by this Act:

14 12 ..... \$ 35,000

14 13 8. For mental health and developmental disabilities  
14 14 community services:

14 15 ..... \$ 4,349,266

14 16 9. For child and family services:

14 17 ..... \$ 25,256,571

14 18 10. For child abuse prevention grants:

14 19 ..... \$ 250,000

14 20 11. For pregnancy prevention grants on the condition that  
14 21 family planning services are funded:

14 22 ..... \$ 2,514,413

14 23 a. Pregnancy prevention grants shall be awarded to  
14 24 programs in existence on or before July 1, 2003, if the  
14 25 programs are comprehensive in scope and have demonstrated

14 26 positive outcomes. Grants shall be awarded to pregnancy  
14 27 prevention programs which are developed after July 1, 2003, if  
14 28 the programs are comprehensive in scope and are based on  
14 29 existing models that have demonstrated positive outcomes.  
14 30 Grants shall comply with the requirements provided in 1997  
14 31 Iowa Acts, chapter 208, section 14, subsections 1 and 2,  
14 32 including the requirement that grant programs must emphasize  
14 33 sexual abstinence. Priority in the awarding of grants shall  
14 34 be given to programs that serve areas of the state which  
14 35 demonstrate the highest percentage of unplanned pregnancies of  
15 1 females age 13 or older but younger than age 18 within the  
15 2 geographic area to be served by the grant.

15 3 b. In addition to the full-time equivalent positions  
15 4 funded in this Act, the department may use a portion of the  
15 5 funds appropriated in this subsection to employ an employee in  
15 6 up to 1.00 FTE for the administration of programs specified in  
15 7 this subsection.

15 8 12. For technology needs and other resources necessary to  
15 9 meet federal welfare reform reporting, tracking, and case  
15 10 management requirements:

15 11 ..... \$ 1,037,186

15 12 13. For volunteers:  
15 13 ..... \$ 42,663

15 14 14. For the healthy opportunities for parents to  
15 15 experience success (HOPES) program administered by the Iowa  
15 16 department of public health to target child abuse prevention:  
15 17 ..... \$ 200,000

15 18 15. To be credited to the Iowa marriage initiative grant  
15 19 fund created in section 234.45:  
15 20 ..... \$ 85,000

15 21 a. Moneys credited to the Iowa marriage initiative grant  
15 22 fund under this subsection are appropriated to the department  
15 23 for the fiscal year beginning July 1, 2003, and ending June  
15 24 30, 2004, to be used in accordance with this section.

15 25 b. The department shall establish an Iowa fatherhood and  
15 26 family initiative grant program utilizing funds credited to  
15 27 the Iowa marriage initiative grant fund created in section  
15 28 234.45 to fund services to support fatherhood and to encourage  
15 29 the formation and maintenance of two-parent families that are  
15 30 secure and nurturing. The department of human services shall  
15 31 adopt rules pursuant to chapter 17A to administer the grant  
15 32 fund and to establish procedures for awarding of grants.

15 33 c. The program shall require that a grantee be a nonprofit  
15 34 organization incorporated in this state with demonstrated  
15 35 successful experience in facilitating fatherhood promotion  
16 1 activities, marriage and family promotion activities, in using  
16 2 media resources to promote fatherhood and marriage and family  
16 3 formation, in making presentations to service or faith-based  
16 4 organizations, and in raising private funding for activities  
16 5 that support fatherhood, marriage, and families.

16 6 d. Preference in awarding grants may be given to those  
16 7 nonprofit organizations working with faith-based groups and  
16 8 those groups targeting young fathers.

16 9 e. The program activities funded by a grant shall include  
16 10 but are not limited to all of the following:

16 11 (1) Working with individuals who have a demonstrated  
16 12 ability in working with at-risk fathers or working with those  
16 13 who may solemnize marriages pursuant to section 598.10 to  
16 14 utilize premarital diagnostic tools, to implement marriage  
16 15 agreements developed by the individuals who may solemnize  
16 16 marriages pursuant to section 595.10 that provide for an  
16 17 appropriate engagement period and premarital and post marital  
16 18 counseling, and to use volunteer mentors in program  
16 19 activities.

16 20 (2) Provision of a series of meetings sharing best  
16 21 practices that encourage young fathers to fulfill their  
16 22 responsibilities to the expectant mother of the child during  
16 23 the pregnancy, and to the mother of the child following the  
16 24 birth of the child, that promote happy and healthy marriages,  
16 25 and that offer counseling to determine the father's level of  
16 26 commitment to the child and the child's mother.

16 27 f. The program activities funded by a grant shall be  
16 28 privately funded at no less than fifty percent of the grant  
16 29 amount.

16 30 g. Grants shall be awarded in a manner that results in  
16 31 provision of services throughout the state in an equal number  
16 32 of urban and rural geographic areas.

16 33 h. The department shall implement the grant program so  
16 34 that the initial request for proposals is issued on or before  
16 35 October 1, 2003, and so that any grants are awarded on or  
17 1 before January 1, 2004.

17 2 i. A grantee shall submit a quarterly financial report to  
17 3 the department and to the legislative fiscal bureau and shall  
17 4 be subject to an annual independent evaluation to assess  
17 5 accomplishment of the purposes of the program.

17 6 j. The department shall provide a copy of the request for  
17 7 proposals and shall submit a report concerning the proposals  
17 8 received and grants awarded to those persons designated by  
17 9 this division of this Act to receive reports.

17 10 k. The department may adopt emergency rules to implement  
17 11 the provisions of this subsection.

17 12 16. To be credited to the state child care assistance  
17 13 appropriation made in this section to be used for funding of  
17 14 community-based early childhood programs targeted to children  
17 15 from birth through five years of age, developed by community  
17 16 empowerment areas as provided in this subsection:

17 17 ..... \$ 7,350,000

17 18 a. The department may transfer federal temporary  
17 19 assistance for needy families block grant funding appropriated  
17 20 and allocated in this subsection to the child care and  
17 21 development block grant appropriation in accordance with  
17 22 federal law as necessary to comply with the provisions of this  
17 23 subsection. The funding shall then be provided to community  
17 24 empowerment areas for the fiscal year beginning July 1, 2003,  
17 25 in accordance with all of the following:

17 26 (1) The area must be approved as a designated community  
17 27 empowerment area by the Iowa empowerment board.

17 28 (2) The maximum funding amount a community empowerment  
17 29 area is eligible to receive shall be determined by applying  
17 30 the area's percentage of the state's average monthly family  
17 31 investment program population in the preceding fiscal year to  
17 32 the total amount appropriated for fiscal year 2003=2004 from  
17 33 the TANF block grant to fund community-based programs targeted  
17 34 to children from birth through five years of age developed by  
17 35 community empowerment areas.

18 1 (3) A community empowerment area receiving funding shall  
18 2 comply with any federal reporting requirements associated with  
18 3 the use of that funding and other results and reporting  
18 4 requirements established by the Iowa empowerment board. The  
18 5 department shall provide technical assistance in identifying  
18 6 and meeting the federal requirements.

18 7 (4) The availability of funding provided under this  
18 8 subsection is subject to changes in federal requirements and  
18 9 amendments to Iowa law.

18 10 b. The moneys distributed in accordance with this  
18 11 subsection shall be used by communities for the purposes of  
18 12 enhancing quality child care capacity in support of parent  
18 13 capability to obtain or retain employment. The moneys shall  
18 14 be used with a primary emphasis on low-income families and  
18 15 children from birth to five years of age. Moneys shall be  
18 16 provided in a flexible manner to communities, and shall be  
18 17 used to implement strategies identified by the communities to  
18 18 achieve such purposes. In addition to the full-time  
18 19 equivalent positions funded in this division of this Act, 1.00  
18 20 FTE position is authorized and the department may use funding  
18 21 appropriated in this subsection for provision of technical  
18 22 assistance and other support to communities developing and  
18 23 implementing strategies with moneys distributed in accordance  
18 24 with this subsection.

18 25 c. Moneys that are subject to this subsection which are  
18 26 not distributed to a community empowerment area or otherwise  
18 27 remain unobligated or unexpended at the end of the fiscal year  
18 28 shall revert to the fund created in section 8.41 to be  
18 29 available for appropriation by the general assembly in a  
18 30 subsequent fiscal year.

18 31 Of the amounts appropriated in this section, \$11,612,112  
18 32 for the fiscal year beginning July 1, 2003, shall be  
18 33 transferred to the appropriation of the federal social  
18 34 services block grant for that fiscal year. If the federal  
18 35 government revises requirements to reduce the amount that may  
19 1 be transferred to the federal social services block grant, it  
19 2 is the intent of the general assembly to act expeditiously  
19 3 during the 2004 legislative session to adjust appropriations  
19 4 or the transfer amount or take other actions to address the  
19 5 reduced amount.

19 6 Eligible funding available under the federal temporary  
19 7 assistance for needy families block grant that is not  
19 8 appropriated or not otherwise expended shall be considered  
19 9 reserved for economic downturns and welfare reform purposes  
19 10 and is subject to further state appropriation to support  
19 11 families in their movement toward self-sufficiency.

19 12 Federal funding received that is designated for activities

19 13 supporting marriage or two-parent families is appropriated to  
19 14 the Iowa marriage initiative grant fund created in section  
19 15 234.45.

19 16 Sec. 8. FAMILY INVESTMENT PROGRAM ACCOUNT.

19 17 1. Moneys credited to the family investment program (FIP)  
19 18 account for the fiscal year beginning July 1, 2003, and ending  
19 19 June 30, 2004, shall be used in accordance with the following  
19 20 requirements:

19 21 a. The department of human services shall provide  
19 22 assistance in accordance with chapter 239B.

19 23 b. The department shall continue the special needs program  
19 24 under the family investment program.

19 25 c. The department shall continue to comply with federal  
19 26 welfare reform data requirements pursuant to the  
19 27 appropriations made for that purpose.

19 28 d. The department shall continue expansion of the  
19 29 electronic benefit transfer program as necessary to comply  
19 30 with federal food stamp benefit requirements. The target date  
19 31 for statewide implementation of the program is October 1,  
19 32 2003.

19 33 2. The department may use a portion of the moneys credited  
19 34 to the family investment program account under this section,  
19 35 as necessary for salaries, support, maintenance, and  
20 1 miscellaneous purposes for not more than the following full=  
20 2 time equivalent positions which are in addition to any other  
20 3 full-time equivalent positions authorized by this Act:

20 4 ..... FTEs 8.00

20 5 3. The department may transfer funds in accordance with  
20 6 section 8.39, either federal or state, to or from the child  
20 7 care appropriations made for the fiscal year beginning July 1,  
20 8 2003, if the department deems this would be a more effective  
20 9 method of paying for JOBS program child care, to maximize  
20 10 federal funding, or to meet federal maintenance of effort  
20 11 requirements.

20 12 4. Moneys appropriated in this Act and credited to the  
20 13 family investment program account for the fiscal year  
20 14 beginning July 1, 2003, and ending June 30, 2004, are  
20 15 allocated as follows:

20 16 a. For the family development and self-sufficiency grant  
20 17 program as provided under section 217.12:

20 18 ..... \$ 5,133,042

20 19 (1) Of the funds allocated for the family development and  
20 20 self-sufficiency grant program in this lettered paragraph, not  
20 21 more than 5 percent of the funds shall be used for the  
20 22 administration of the grant program.

20 23 (2) Based upon the annual evaluation report concerning  
20 24 each grantee funded by previously appropriated funds and  
20 25 through the solicitation of additional grant proposals, the  
20 26 family development and self-sufficiency council may use the  
20 27 allocated funds to renew or expand existing grants or award  
20 28 new grants. In utilizing the funding allocated in this  
20 29 lettered paragraph, the council shall give consideration, in  
20 30 addition to other criteria established by the council, to a  
20 31 grantee's intended use of local funds with a grant and to  
20 32 whether approval of a grant proposal would expand the  
20 33 availability of the program's services.

20 34 (3) The department may continue to implement the family  
20 35 development and self-sufficiency grant program statewide  
21 1 during FY 2003=2004.

21 2 b. For the diversion subaccount of the family investment  
21 3 program account:

21 4 ..... \$ 2,814,000

21 5 (1) Moneys allocated to the diversion subaccount shall be  
21 6 used to implement FIP diversion statewide while continuing the  
21 7 local flexibility in program design. A family that meets  
21 8 income eligibility requirements for the family investment  
21 9 program may receive a one-time payment to remedy an immediate  
21 10 need in order to permit the family to maintain self=  
21 11 sufficiency without providing ongoing cash assistance. A FIP  
21 12 participant family may receive diversion assistance to  
21 13 overcome barriers to obtaining employment and to assist in  
21 14 stabilizing employment in order to increase the likelihood of  
21 15 the family leaving FIP more quickly. The department shall  
21 16 assess and screen individuals who would most likely benefit  
21 17 from the assistance. In addition to the full-time equivalent  
21 18 positions authorized in this Act, 1.00 FTE is authorized for  
21 19 purposes of diversion. The department may adopt additional  
21 20 eligibility criteria as necessary for compliance with federal  
21 21 law and for screening those families who would be most likely  
21 22 to become eligible for FIP if diversion incentives would not  
21 23 be provided.

21 24 (2) A portion of the moneys allocated for the subaccount  
21 25 may be used for field operations salaries, data management  
21 26 system development, and implementation costs and support  
21 27 deemed necessary by the director of human services in order to  
21 28 administer the FIP diversion program.

21 29 (3) Of the funds allocated in this lettered paragraph, not  
21 30 more than \$250,000 shall be used to develop or continue  
21 31 community-level parental obligation pilot projects. The  
21 32 requirements established under 2001 Iowa Acts, chapter 191,  
21 33 section 3, subsection 5, paragraph "c", subparagraph (3),  
21 34 shall remain applicable to the parental obligation pilot  
21 35 projects for fiscal year 2003=2004.

22 1 c. For the food stamp employment and training program:  
22 2 ..... \$ 63,000

22 3 5. Of the child support collections assigned under the  
22 4 family investment program, an amount equal to the federal  
22 5 share of support collections shall be credited to the child  
22 6 support recovery appropriation. Of the remainder of the  
22 7 assigned child support collections received by the child  
22 8 support recovery unit, a portion shall be credited to the  
22 9 family investment program account and a portion may be used to  
22 10 increase recoveries.

22 11 6. For the fiscal year beginning July 1, 2003, the  
22 12 department shall continue the process for the state to receive  
22 13 refunds of utility and rent deposits, including any accrued  
22 14 interest, for emergency assistance program recipients which  
22 15 were paid by persons other than the state. The department  
22 16 shall also receive refunds, including any accrued interest, of  
22 17 assistance paid with funding available under this program.  
22 18 The refunds received by the department shall be credited to  
22 19 the family investment program (FIP) account to offset FIP cash  
22 20 grants expended in the same year. Notwithstanding section  
22 21 8.33, moneys received by the department under this subsection  
22 22 which remain after the emergency assistance program is  
22 23 terminated and state or federal moneys in the emergency  
22 24 assistance account which remain unobligated or unexpended at  
22 25 the close of the fiscal year beginning July 1, 2003, shall not  
22 26 revert to any other fund but shall be credited to the family  
22 27 investment program account.

22 28 7. The department may adopt emergency administrative rules  
22 29 for the family investment, food stamp, and medical assistance  
22 30 programs, if necessary, to comply with federal requirements.

22 31 8. The department may continue the initiative to  
22 32 streamline and simplify the employer verification process for  
22 33 applicants, participants, and employers in the administration  
22 34 of the department's programs. The department may contract  
22 35 with companies collecting data from employers when the  
23 1 information is needed in the administration of these programs.  
23 2 The department may limit the availability of the initiative on  
23 3 the basis of geographic area or number of individuals.

23 4 Sec. 9. FAMILY INVESTMENT PROGRAM GENERAL FUND. There is  
23 5 appropriated from the general fund of the state to the  
23 6 department of human services for the fiscal year beginning  
23 7 July 1, 2003, and ending June 30, 2004, the following amount,  
23 8 or so much thereof as is necessary, to be used for the purpose  
23 9 designated:

23 10 To be credited to the family investment program account and  
23 11 used for family investment program assistance under chapter  
23 12 239B:

23 13 ..... \$ 36,187,879

23 14 1. The department of workforce development, in  
23 15 consultation with the department of human services, shall  
23 16 continue to utilize recruitment and employment practices to  
23 17 include former and current family investment program  
23 18 recipients.

23 19 2. The department of human services shall continue to work  
23 20 with the department of workforce development and local  
23 21 community collaborative efforts to provide support services  
23 22 for family investment program participants. The support  
23 23 services shall be directed to those participant families who  
23 24 would benefit from the support services and are likely to have  
23 25 success in achieving economic independence.

23 26 3. Of the funds appropriated in this section, \$9,274,143  
23 27 is allocated for the JOBS program.

23 28 4. The department shall continue to work with religious  
23 29 organizations and other charitable institutions to increase  
23 30 the availability of host homes, referred to as second chance  
23 31 homes or other living arrangements under the federal Personal  
23 32 Responsibility and Work Opportunity Reconciliation Act of  
23 33 1996, Pub. L. No. 104=193, } 103. The purpose of the homes or  
23 34 arrangements is to provide a supportive and supervised living

23 35 arrangement for minor parents receiving assistance under the  
24 1 family investment program who, under chapter 239B, may receive  
24 2 assistance while living in an alternative setting other than  
24 3 with their parent or legal guardian.

24 4 Sec. 10. CHILD SUPPORT RECOVERY. There is appropriated  
24 5 from the general fund of the state to the department of human  
24 6 services for the fiscal year beginning July 1, 2003, and  
24 7 ending June 30, 2004, the following amount, or so much thereof  
24 8 as is necessary, to be used for the purposes designated:

24 9 For child support recovery, including salaries, support,  
24 10 maintenance, and miscellaneous purposes and for not more than  
24 11 the following full-time equivalent positions:

24 12 ..... \$ 5,482,793  
24 13 ..... FTEs 405.00

24 14 1. The director of human services, within the limitations  
24 15 of the moneys appropriated in this section, or moneys  
24 16 transferred from the family investment program account for  
24 17 this purpose, shall establish new positions and add employees  
24 18 to the child support recovery unit if the director determines  
24 19 that both the current and additional employees together can  
24 20 reasonably be expected to maintain or increase net state  
24 21 revenue at or beyond the budgeted level.

24 22 2. Nonpublic assistance application fees and other user  
24 23 fees received by the child support recovery unit are  
24 24 appropriated and shall be used for the purposes of the child  
24 25 support recovery program. The director of human services may  
24 26 add positions within the limitations of the amount  
24 27 appropriated for salaries and support for the positions.

24 28 3. The director of human services, in consultation with  
24 29 the department of management and the legislative fiscal  
24 30 committee, is authorized to receive and deposit state child  
24 31 support incentive earnings in the manner specified under  
24 32 applicable federal requirements.

24 33 4. a. The director of human services may establish new  
24 34 positions and add state employees to the child support  
24 35 recovery unit or contract for delivery of services if the  
25 1 director determines the employees are necessary to replace  
25 2 county-funded positions eliminated due to termination,  
25 3 reduction, or nonrenewal of a chapter 28E contract. However,  
25 4 the director must also determine that the resulting increase  
25 5 in the state share of child support recovery incentives  
25 6 exceeds the cost of the positions or contract, the positions  
25 7 or contract are necessary to ensure continued federal funding  
25 8 of the program, or the new positions or contract can  
25 9 reasonably be expected to recover at least twice the amount of  
25 10 money necessary to pay the salaries and support for the new  
25 11 positions or the contract will generate at least 200 percent  
25 12 of the cost of the contract.

25 13 b. Employees in full-time positions that transition from  
25 14 county government to state government employment under this  
25 15 subsection are exempt from testing, selection, and appointment  
25 16 provisions of chapter 19A and from the provisions of  
25 17 collective bargaining agreements relating to the filling of  
25 18 vacant positions.

25 19 5. Surcharges paid by obligors and received by the unit as  
25 20 a result of the referral of support delinquency by the child  
25 21 support recovery unit to any private collection agency are  
25 22 appropriated to the department and shall be used to pay the  
25 23 costs of any contracts with the collection agencies.

25 24 6. The department shall expend up to \$31,000, including  
25 25 federal financial participation, for the fiscal year beginning  
25 26 July 1, 2003, for a child support public awareness campaign.  
25 27 The department and the office of the attorney general shall  
25 28 cooperate in continuation of the campaign. The public  
25 29 awareness campaign shall emphasize, through a variety of media  
25 30 activities, the importance of maximum involvement of both  
25 31 parents in the lives of their children as well as the  
25 32 importance of payment of child support obligations.

25 33 7. Federal access and visitation grant moneys shall be  
25 34 issued directly to private not-for-profit agencies that  
25 35 provide services designed to increase compliance with the  
26 1 child access provisions of court orders, including but not  
26 2 limited to neutral visitation site and mediation services.

26 3 Sec. 11. MEDICAL ASSISTANCE. There is appropriated from  
26 4 the general fund of the state to the department of human  
26 5 services for the fiscal year beginning July 1, 2003, and  
26 6 ending June 30, 2004, the following amount, or so much thereof  
26 7 as is necessary, to be used for the purpose designated:

26 8 For medical assistance reimbursement and associated costs  
26 9 as specifically provided in the reimbursement methodologies in  
26 10 effect on June 30, 2003, except as otherwise expressly

26 11 authorized by law, including reimbursement for abortion  
26 12 services, which shall be available under the medical  
26 13 assistance program only for those abortions which are  
26 14 medically necessary:  
26 15 ..... \$357,486,073  
26 16 1. Medically necessary abortions are those performed under  
26 17 any of the following conditions:  
26 18 a. The attending physician certifies that continuing the  
26 19 pregnancy would endanger the life of the pregnant woman.  
26 20 b. The attending physician certifies that the fetus is  
26 21 physically deformed, mentally deficient, or afflicted with a  
26 22 congenital illness.  
26 23 c. The pregnancy is the result of a rape which is reported  
26 24 within 45 days of the incident to a law enforcement agency or  
26 25 public or private health agency which may include a family  
26 26 physician.  
26 27 d. The pregnancy is the result of incest which is reported  
26 28 within 150 days of the incident to a law enforcement agency or  
26 29 public or private health agency which may include a family  
26 30 physician.  
26 31 e. Any spontaneous abortion, commonly known as a  
26 32 miscarriage, if not all of the products of conception are  
26 33 expelled.  
26 34 2. Notwithstanding section 8.39, the department may  
26 35 transfer funds appropriated in this section to a separate  
27 1 account established in the department's case management unit  
27 2 for expenditures required to provide case management services  
27 3 for mental health, mental retardation, and developmental  
27 4 disabilities services under medical assistance which are  
27 5 jointly funded by the state and county, pending final  
27 6 settlement of the expenditures. Funds received by the case  
27 7 management unit in settlement of the expenditures shall be  
27 8 used to replace the transferred funds and are available for  
27 9 the purposes for which the funds were appropriated in this  
27 10 section.  
27 11 3. a. The county of legal settlement shall be billed for  
27 12 50 percent of the nonfederal share of the cost of case  
27 13 management provided for adults, day treatment, and partial  
27 14 hospitalization in accordance with sections 249A.26 and  
27 15 249A.27, and 100 percent of the nonfederal share of the cost  
27 16 of care for adults which is reimbursed under a federally  
27 17 approved home and community-based waiver that would otherwise  
27 18 be approved for provision in an intermediate care facility for  
27 19 persons with mental retardation, provided under the medical  
27 20 assistance program. The state shall have responsibility for  
27 21 the remaining 50 percent of the nonfederal share of the cost  
27 22 of case management provided for adults, day treatment, and  
27 23 partial hospitalization. For persons without a county of  
27 24 legal settlement, the state shall have responsibility for 100  
27 25 percent of the nonfederal share of the costs of case  
27 26 management provided for adults, day treatment, partial  
27 27 hospitalization, and the home and community-based waiver  
27 28 services. The case management services specified in this  
27 29 subsection shall be billed to a county only if the services  
27 30 are provided outside of a managed care contract.  
27 31 b. The state shall pay the entire nonfederal share of the  
27 32 costs for case management services provided to persons 17  
27 33 years of age and younger who are served in a medical  
27 34 assistance home and community-based waiver program for persons  
27 35 with mental retardation.  
28 1 c. Medical assistance funding for case management services  
28 2 for eligible persons 17 years of age and younger shall also be  
28 3 provided to persons residing in counties with child welfare  
28 4 decategorization projects implemented in accordance with  
28 5 section 232.188, provided these projects have included these  
28 6 persons in their service plan and the decategorization project  
28 7 county is willing to provide the nonfederal share of costs.  
28 8 d. When paying the necessary and legal expenses of  
28 9 intermediate care facilities for persons with mental  
28 10 retardation (ICFMR), the cost payment requirements of section  
28 11 222.60 shall be considered fulfilled when payment is made in  
28 12 accordance with the medical assistance payment rates  
28 13 established for ICFMRs by the department and the state or a  
28 14 county of legal settlement is not obligated for any amount in  
28 15 excess of the rates.  
28 16 e. Unless a county has paid or is paying for the  
28 17 nonfederal share of the cost of a person's home and community=  
28 18 based waiver services or ICFMR placement under the county's  
28 19 mental health, mental retardation, and developmental  
28 20 disabilities services fund, or unless a county of legal  
28 21 settlement would become liable for the costs of services at

28 22 the ICFMR level of care for a person due to the person  
28 23 reaching the age of majority, the state shall pay the  
28 24 nonfederal share of the costs of an eligible person's services  
28 25 under the home and community-based waiver for persons with  
28 26 brain injury.

28 27 4. The department shall utilize not more than \$60,000 of  
28 28 the funds appropriated in this section to continue the  
28 29 AIDS/HIV health insurance premium payment program as  
28 30 established in 1992 Iowa Acts, Second Extraordinary Session,  
28 31 chapter 1001, section 409, subsection 6. Of the funds  
28 32 allocated in this subsection, not more than \$5,000 may be  
28 33 expended for administrative purposes.

28 34 5. Of the funds appropriated to the Iowa department of  
28 35 public health for substance abuse grants, \$950,000 for the  
29 1 fiscal year beginning July 1, 2003, shall be transferred to  
29 2 the department of human services for an integrated substance  
29 3 abuse managed care system.

29 4 6. In administering the medical assistance home and  
29 5 community-based waivers, the total number of openings at any  
29 6 one time shall be limited to the number approved for a waiver  
29 7 by the secretary of the United States department of health and  
29 8 human services. The openings shall be available on a first=  
29 9 come, first=served basis.

29 10 7. The department of human services, in consultation with  
29 11 the Iowa department of public health and the department of  
29 12 education, shall continue the program to utilize the early and  
29 13 periodic screening, diagnosis, and treatment (EPSDT) funding  
29 14 under medical assistance, to the extent possible, to implement  
29 15 the screening component of the EPSDT program through the  
29 16 school system. The department may enter into contracts to  
29 17 utilize maternal and child health centers, the public health  
29 18 nursing program, or school nurses in implementing this  
29 19 provision.

29 20 8. The department shall continue working with county  
29 21 representatives in aggressively implementing the  
29 22 rehabilitation option for services to persons with chronic  
29 23 mental illness under the medical assistance program, and  
29 24 county funding shall be used to provide the match for the  
29 25 federal funding, except for individuals with state case  
29 26 status, for whom state funding shall provide the match.

29 27 9. If the federal centers for Medicare and Medicaid  
29 28 services approves a waiver request from the department, the  
29 29 department shall provide a period of 24 months of guaranteed  
29 30 eligibility for medical assistance family planning services,  
29 31 regardless of the change in circumstances of a woman who was a  
29 32 medical assistance recipient when a pregnancy ended.

29 33 10. The department shall aggressively pursue options for  
29 34 providing medical assistance or other assistance to  
29 35 individuals with special needs who become ineligible to  
30 1 continue receiving services under the early and periodic,  
30 2 screening, diagnosis, and treatment program under the medical  
30 3 assistance program due to becoming 21 years of age, who have  
30 4 been approved for additional assistance through the  
30 5 department's exception to policy provisions, but who have  
30 6 health care needs in excess of the funding available through  
30 7 the exception to policy process.

30 8 11. The drug utilization review commission shall submit  
30 9 copies of the board's annual review, including facts and  
30 10 findings, of the drugs on the department's prior authorization  
30 11 list to the department and to the members of the joint  
30 12 appropriations subcommittee on health and human services.

30 13 12. The department shall expend the anticipated savings  
30 14 for operation of the state maximum allowable cost program for  
30 15 pharmaceuticals as additional funding for the medical  
30 16 assistance program.

30 17 13. The department shall implement the elimination of  
30 18 hospital crossover claims for dually eligible federal Medicare  
30 19 and medical assistance program beneficiaries for hospitals  
30 20 licensed under chapter 135B, only if approval of a medical  
30 21 assistance state plan amendment is received from the centers  
30 22 for Medicare and Medicaid services of the United States  
30 23 department of health and human services that protects  
30 24 hospitals from financial losses specifically due to the  
30 25 hospital crossover claims process under the medical assistance  
30 26 program or the Medicare cost reports.

30 27 Sec. 12. HEALTH INSURANCE PREMIUM PAYMENT PROGRAM. There  
30 28 is appropriated from the general fund of the state to the  
30 29 department of human services for the fiscal year beginning  
30 30 July 1, 2003, and ending June 30, 2004, the following amount,  
30 31 or so much thereof as is necessary, to be used for the purpose  
30 32 designated:

30 33 For administration of the health insurance premium payment  
30 34 program, including salaries, support, maintenance, and  
30 35 miscellaneous purposes, and for not more than the following  
31 1 full-time equivalent positions:  
31 2 ..... \$ 573,968  
31 3 ..... FTEs 21.00

31 4 Sec. 13. MEDICAL CONTRACTS. There is appropriated from  
31 5 the general fund of the state to the department of human  
31 6 services for the fiscal year beginning July 1, 2003, and  
31 7 ending June 30, 2004, the following amount, or so much thereof  
31 8 as is necessary, to be used for the purpose designated:  
31 9 For medical contracts:  
31 10 ..... \$ 8,990,035

31 11 1. In any managed care contract for mental health or  
31 12 substance abuse services entered into or extended by the  
31 13 department on or after July 1, 2003, the request for proposals  
31 14 shall provide for coverage of dual diagnosis mental health and  
31 15 substance abuse treatment provided at the state mental health  
31 16 institute at Mount Pleasant. To the extent possible, the  
31 17 department shall also amend any such contract existing on July  
31 18 1, 2003, to provide for such coverage.

31 19 2. The department may either continue or reprocur the  
31 20 contract existing on June 30, 2003, with the department's  
31 21 fiscal agent.

31 22 Sec. 14. STATE SUPPLEMENTARY ASSISTANCE. There is  
31 23 appropriated from the general fund of the state to the  
31 24 department of human services for the fiscal year beginning  
31 25 July 1, 2003, and ending June 30, 2004, the following amount,  
31 26 or so much thereof as is necessary, to be used for the  
31 27 purposes designated:  
31 28 For state supplementary assistance and the medical  
31 29 assistance home and community-based services waiver rent  
31 30 subsidy program:  
31 31 ..... \$ 19,198,735

31 32 1. The department shall increase the personal needs  
31 33 allowance for residents of residential care facilities by the  
31 34 same percentage and at the same time as federal supplemental  
31 35 security income and federal social security benefits are  
32 1 increased due to a recognized increase in the cost of living.  
32 2 The department may adopt emergency rules to implement this  
32 3 subsection.

32 4 2. If during the fiscal year beginning July 1, 2003, the  
32 5 department projects that state supplementary assistance  
32 6 expenditures for a calendar year will not meet the federal  
32 7 pass-along requirement specified in Title XVI of the federal  
32 8 Social Security Act, section 1618, as codified in 42 U.S.C. }  
32 9 1382g, the department may take actions including but not  
32 10 limited to increasing the personal needs allowance for  
32 11 residential care facility residents and making programmatic  
32 12 adjustments or upward adjustments of the residential care  
32 13 facility or in-home health-related care reimbursement rates  
32 14 prescribed in this Act to ensure that federal requirements are  
32 15 met. In addition, the department may make other programmatic  
32 16 and rate adjustments necessary to remain within the amount  
32 17 appropriated in this section while ensuring compliance with  
32 18 federal requirements. The department may adopt emergency  
32 19 rules to implement the provisions of this subsection.

32 20 Sec. 15. CHILDREN'S HEALTH INSURANCE PROGRAM. There is  
32 21 appropriated from the general fund of the state to the  
32 22 department of human services for the fiscal year beginning  
32 23 July 1, 2003, and ending June 30, 2004, the following amount,  
32 24 or so much thereof as is necessary, to be used for the purpose  
32 25 designated:  
32 26 For maintenance of the healthy and well kids in Iowa (hawk=  
32 27 i) program pursuant to chapter 514I for receipt of federal  
32 28 financial participation under Title XXI of the federal Social  
32 29 Security Act, which creates the state children's health  
32 30 insurance program:  
32 31 ..... \$ 11,118,275

32 32 1. The department may transfer funds appropriated in this  
32 33 section to be used for the purpose of expanding health care  
32 34 coverage to children under the medical assistance program.  
32 35 The department shall provide periodic updates to the general  
33 1 assembly of expenditures of funds appropriated in this  
33 2 section.

33 3 2. Moneys in the hawk=i trust fund are appropriated to the  
33 4 department of human services and shall be used to offset any  
33 5 program costs for the fiscal year beginning July 1, 2003, and  
33 6 ending June 30, 2004.

33 7 Sec. 16. CHILD CARE ASSISTANCE. There is appropriated  
33 8 from the general fund of the state to the department of human

33 9 services for the fiscal year beginning July 1, 2003, and  
33 10 ending June 30, 2004, the following amount, or so much thereof  
33 11 as is necessary, to be used for the purpose designated:

33 12 For child care programs:  
33 13 .....

33 13 ..... \$ 5,050,752

33 14 1. a. Of the funds appropriated in this section,  
33 15 \$4,525,228 shall be used for state child care assistance in  
33 16 accordance with section 237A.13.

33 17 b. During the 2003=2004 fiscal year, the moneys deposited  
33 18 in the child care credit fund created in section 237A.28 are  
33 19 appropriated to the department to be used for state child care  
33 20 assistance in accordance with section 237A.13, in addition to  
33 21 the moneys allocated for that purpose in paragraph "a".

33 22 2. Nothing in this section shall be construed or is  
33 23 intended as, or shall imply, a grant of entitlement for  
33 24 services to persons who are eligible for assistance due to an  
33 25 income level consistent with the waiting list requirements of  
33 26 section 237A.13. Any state obligation to provide services  
33 27 pursuant to this section is limited to the extent of the funds  
33 28 appropriated in this section.

33 29 3. Of the funds appropriated in this section, \$525,524 is  
33 30 allocated for the statewide program for child care resource  
33 31 and referral services under section 237A.26.

33 32 4. The department may use any of the funds appropriated in  
33 33 this section as a match to obtain federal funds for use in  
33 34 expanding child care assistance and related programs. For the  
33 35 purpose of expenditures of state and federal child care  
34 1 funding, funds shall be considered obligated at the time  
34 2 expenditures are projected or are allocated to the  
34 3 department's service areas. Projections shall be based on  
34 4 current and projected caseload growth, current and projected  
34 5 provider rates, staffing requirements for eligibility  
34 6 determination and management of program requirements including  
34 7 data systems management, staffing requirements for  
34 8 administration of the program, contractual and grant  
34 9 obligations and any transfers to other state agencies, and  
34 10 obligations for decategorization or innovation projects.

34 11 5. If the federal government appropriates additional  
34 12 funding under the federal child care and development block  
34 13 grant than was anticipated would be received for the state  
34 14 fiscal year beginning July 1, 2003, in addition to the  
34 15 notification requirements for expenditure requirements for  
34 16 additional federal funds under 2002 Iowa Acts, chapter 1170,  
34 17 the department shall consult with the chairpersons and ranking  
34 18 members of the joint appropriations subcommittee on health and  
34 19 human services at least thirty days in advance of committing  
34 20 to expenditure of the additional funding.

34 21 6. A portion of the state match for the federal child care  
34 22 and development block grant shall be provided through the  
34 23 state general fund appropriation for child development grants  
34 24 and other programs for at-risk children in section 279.51.

34 25 7. a. The department shall develop consumer information  
34 26 material to assist parents in selecting a child care provider.  
34 27 In developing the material, the department shall consult with  
34 28 department of human services staff, department of education  
34 29 staff, the state child care advisory council, the Iowa  
34 30 empowerment board, and child care resource and referral  
34 31 services. In addition, the department may consult with other  
34 32 entities at the local, state, and national level.

34 33 b. The consumer information material developed by the  
34 34 department for parents and other consumers of child care  
34 35 services shall include but is not limited to all of the  
35 1 following:

35 2 (1) A pamphlet or other printed material containing  
35 3 consumer-oriented information on locating a quality child care  
35 4 provider.

35 5 (2) Information explaining important considerations a  
35 6 consumer should take into account in selecting a licensed or  
35 7 registered child care provider.

35 8 (3) Information explaining how a consumer can identify  
35 9 quality services, including what questions to ask of providers  
35 10 and what a consumer might expect or demand to know before  
35 11 selecting a provider.

35 12 (4) An explanation of the applicable laws and regulations  
35 13 written in layperson's terms.

35 14 (5) An explanation of what it means for a provider to be  
35 15 licensed, registered, or unregistered.

35 16 (6) An explanation of the information considered in  
35 17 registry and record background checks.

35 18 (7) Other information deemed relevant to consumers.

35 19 c. The department shall implement and publicize an

35 20 internet page or site that provides all of the following:

35 21 (1) The written information developed pursuant to  
35 22 paragraphs "a" and "b".  
35 23 (2) Regular informational updates, including when a child  
35 24 care provider was last subject to a state quality review or  
35 25 inspection and, based upon a final score or review, the  
35 26 results indicating whether the provider passed or failed the  
35 27 review or inspection.

35 28 (3) Capability for a consumer to be able to access  
35 29 information concerning child care providers, such as  
35 30 informational updates, identification of provider location,  
35 31 name, and capacity, and identification of providers  
35 32 participating in the state child care assistance program and  
35 33 those participating in the child care food program, by sorting  
35 34 the information or employing other means that provide the  
35 35 information in a manner that is useful to the consumer.  
36 1 Information regarding provider location shall identify  
36 2 providers located in the vicinity of an address selected by a  
36 3 consumer and provide contact information without listing the  
36 4 specific addresses of the providers.

36 5 (4) Other information deemed appropriate by the  
36 6 department.

36 7 8. If the department receives additional funding from the  
36 8 federal government designated for purposes of improving child  
36 9 care quality, the funding shall be used for additional child  
36 10 care consultant positions within the department's field  
36 11 operations.

36 12 Sec. 17. JUVENILE INSTITUTIONS. There is appropriated  
36 13 from the general fund of the state to the department of human  
36 14 services for the fiscal year beginning July 1, 2003, and  
36 15 ending June 30, 2004, the following amounts, or so much  
36 16 thereof as is necessary, to be used for the purposes  
36 17 designated:

36 18 1. For operation of the Iowa juvenile home at Toledo and  
36 19 for salaries, support, maintenance, and for not more than the  
36 20 following full-time equivalent positions:  
36 21 ..... \$ 6,160,878  
36 22 ..... FTEs 130.54

36 23 2. For operation of the state training school at Eldora  
36 24 and for salaries, support, maintenance, and for not more than  
36 25 the following full-time equivalent positions:  
36 26 ..... \$ 10,285,696  
36 27 ..... FTEs 218.53

36 28 3. During the fiscal year beginning July 1, 2003, the  
36 29 population levels at the state juvenile institutions shall not  
36 30 exceed the population guidelines established under 1990 Iowa  
36 31 Acts, chapter 1239, section 21, as adjusted for subsequent  
36 32 changes in capacity at the institutions.

36 33 4. A portion of the moneys appropriated in this section  
36 34 shall be used by the state training school and by the Iowa  
36 35 juvenile home for grants for adolescent pregnancy prevention  
37 1 activities at the institutions in the fiscal year beginning  
37 2 July 1, 2003.

37 3 5. Within the amounts appropriated in this section, the  
37 4 department may transfer funds as necessary to best fulfill the  
37 5 needs of the institutions provided for in the appropriation.

37 6 Sec. 18. CHILD AND FAMILY SERVICES.

37 7 1. There is appropriated from the general fund of the  
37 8 state to the department of human services for the fiscal year  
37 9 beginning July 1, 2003, and ending June 30, 2004, the  
37 10 following amount, or so much thereof as is necessary, to be  
37 11 used for the purpose designated:

37 12 For child and family services:  
37 13 ..... \$107,091,253

37 14 2. The department may transfer funds appropriated in this  
37 15 section as necessary to pay the nonfederal costs of services  
37 16 reimbursed under medical assistance or the family investment  
37 17 program which are provided to children who would otherwise  
37 18 receive services paid under the appropriation in this section.  
37 19 The department may transfer funds appropriated in this section  
37 20 to the appropriations in this Act for general administration  
37 21 and for field operations for resources necessary to implement  
37 22 and operate the services funded in this section.

37 23 3. a. Of the funds appropriated in this section, up to  
37 24 \$30,154,516 is allocated as the statewide expenditure target  
37 25 under section 232.143 for group foster care maintenance and  
37 26 services.

37 27 b. If at any time after September 30, 2003, annualization  
37 28 of a service area's current expenditures indicates a service  
37 29 area is at risk of exceeding its group foster care expenditure  
37 30 target under section 232.143 by more than 5 percent, the

37 31 department and juvenile court services shall examine all group  
37 32 foster care placements in that service area in order to  
37 33 identify those which might be appropriate for termination. In  
37 34 addition, any aftercare services believed to be needed for the  
37 35 children whose placements may be terminated shall be  
38 1 identified. The department and juvenile court services shall  
38 2 initiate action to set dispositional review hearings for the  
38 3 placements identified. In such a dispositional review  
38 4 hearing, the juvenile court shall determine whether needed  
38 5 aftercare services are available and whether termination of  
38 6 the placement is in the best interest of the child and the  
38 7 community.

38 8 c. (1) Of the funds appropriated in this section, not  
38 9 more than \$6,355,170 is allocated as the state match funding  
38 10 for psychiatric medical institutions for children.

38 11 (2) The department may transfer all or a portion of the  
38 12 amount allocated in this lettered paragraph for psychiatric  
38 13 medical institutions for children (PMICs) to the appropriation  
38 14 in this Act for medical assistance.

38 15 d. Of the funds allocated in this subsection, \$1,419,988  
38 16 is allocated as the state match funding for 50 highly  
38 17 structured juvenile program beds. If the number of beds  
38 18 provided for in this lettered paragraph is not utilized, the  
38 19 remaining funds allocated may be used for group foster care.

38 20 e. For the fiscal year beginning July 1, 2003, the  
38 21 requirements of section 232.143 applicable to the juvenile  
38 22 court and to representatives of the juvenile court shall be  
38 23 applicable instead to juvenile court services and to  
38 24 representatives of juvenile court services. The  
38 25 representatives appointed by the department of human services  
38 26 and by juvenile court services to establish the plan to  
38 27 contain expenditures for children placed in group foster care  
38 28 ordered by the court within the budget target allocated to the  
38 29 service area shall establish the plan in a manner so as to  
38 30 ensure the moneys allocated to the service area under section  
38 31 232.143 shall last the entire fiscal year. Funds for a child  
38 32 placed in group foster care shall be considered encumbered for  
38 33 the duration of the child's projected or actual length of  
38 34 stay, whichever is applicable.

38 35 4. Of the funds appropriated in this section, \$3,000,000  
39 1 is allocated specifically for expenditure through the  
39 2 decategorization of child welfare funding pools and governance  
39 3 boards established pursuant to section 232.188.  
39 4 Notwithstanding section 8.33, moneys allocated in this  
39 5 subsection that remain unencumbered or unobligated at the  
39 6 close of the fiscal year shall not revert but shall remain  
39 7 available for expenditure for the purposes designated until  
39 8 the close of the succeeding fiscal year.

39 9 5. Of the funds appropriated in this section, up to  
39 10 \$915,892 is allocated for additional funding of the family  
39 11 preservation program.

39 12 6. The department shall continue the goal that not more  
39 13 than 15 percent of the children placed in foster care funded  
39 14 under the federal Social Security Act, Title IV=E, may be  
39 15 placed in foster care for a period of more than 24 months.

39 16 7. In accordance with the provisions of section 232.188,  
39 17 the department shall continue the program to decategorize  
39 18 child welfare services funding in additional counties or  
39 19 clusters of counties.

39 20 8. A portion of the funding appropriated in this section  
39 21 may be used for emergency family assistance to provide other  
39 22 resources required for a family participating in a family  
39 23 preservation or reunification project to stay together or to  
39 24 be reunified.

39 25 9. Notwithstanding section 234.35, subsection 1, for the  
39 26 fiscal year beginning July 1, 2003, state funding for shelter  
39 27 care paid pursuant to section 234.35, subsection 1, paragraph  
39 28 "h", shall be limited to \$6,922,509.

39 29 10. The department shall continue to make adoption  
39 30 presubsidy and adoption subsidy payments to adoptive parents  
39 31 at the beginning of the month for the current month.

39 32 11. Federal funds received by the state during the fiscal  
39 33 year beginning July 1, 2003, as the result of the expenditure  
39 34 of state funds appropriated during a previous state fiscal  
39 35 year for a service or activity funded under this section, are  
40 1 appropriated to the department to be used as additional  
40 2 funding for services and purposes provided for under this  
40 3 section. Notwithstanding section 8.33, moneys received in  
40 4 accordance with this subsection that remain unencumbered or  
40 5 unobligated at the close of the fiscal year shall not revert  
40 6 to any fund but shall remain available for the purposes

40 7 designated until the close of the succeeding fiscal year.

40 8 12. The department and juvenile court services shall  
40 9 continue to develop criteria for the department service area  
40 10 administrator and chief juvenile court officer to grant  
40 11 exceptions to extend eligibility, within the funds allocated,  
40 12 for intensive tracking and supervision and for supervised  
40 13 community treatment to delinquent youth beyond age 18 who are  
40 14 subject to release from the state training school, a highly  
40 15 structured juvenile program, or group foster care.

40 16 13. Of the moneys appropriated in this section, not more  
40 17 than \$442,100 is allocated to provide clinical assessment  
40 18 services as necessary to continue funding of children's  
40 19 rehabilitation services under medical assistance in accordance  
40 20 with federal law and requirements. The funding allocated is  
40 21 the amount projected to be necessary for providing the  
40 22 clinical assessment services.

40 23 14. Of the funding appropriated in this section,  
40 24 \$3,696,285 shall be used for protective child care assistance.

40 25 15. Of the moneys appropriated in this section, up to  
40 26 \$2,859,851 is allocated for the payment of the expenses of  
40 27 court-ordered services provided to juveniles which are a  
40 28 charge upon the state pursuant to section 232.141, subsection  
40 29 4.

40 30 a. Notwithstanding section 232.141 or any other provision  
40 31 of law to the contrary, the amount allocated in this  
40 32 subsection shall be distributed to the judicial districts as  
40 33 determined by the state court administrator. The state court  
40 34 administrator shall make the determination of the distribution  
40 35 amounts on or before June 15, 2003.

41 1 b. Notwithstanding chapter 232 or any other provision of  
41 2 law to the contrary, a district or juvenile court shall not  
41 3 order any service which is a charge upon the state pursuant to  
41 4 section 232.141 if there are insufficient court-ordered  
41 5 services funds available in the district court distribution  
41 6 amount to pay for the service. The chief juvenile court  
41 7 officer shall encourage use of the funds allocated in this  
41 8 subsection such that there are sufficient funds to pay for all  
41 9 court-related services during the entire year. The chief  
41 10 juvenile court officers shall attempt to anticipate potential  
41 11 surpluses and shortfalls in the distribution amounts and shall  
41 12 cooperatively request the state court administrator to  
41 13 transfer funds between the districts' distribution amounts as  
41 14 prudent.

41 15 c. Notwithstanding any provision of law to the contrary, a  
41 16 district or juvenile court shall not order a county to pay for  
41 17 any service provided to a juvenile pursuant to an order  
41 18 entered under chapter 232 which is a charge upon the state  
41 19 under section 232.141, subsection 4.

41 20 d. Of the funding allocated in this subsection, not more  
41 21 than \$100,000 may be used by the judicial branch for  
41 22 administration of the requirements under this subsection and  
41 23 for travel associated with court-ordered placements which are  
41 24 a charge upon the state pursuant to section 232.141,  
41 25 subsection 4.

41 26 16. a. Of the funding appropriated in this section,  
41 27 \$3,062,193 is allocated to provide school-based supervision of  
41 28 children adjudicated under chapter 232, including not more  
41 29 than \$1,431,597 from the allocation in this section for court=  
41 30 ordered services. Not more than \$15,000 of the funding  
41 31 allocated in this subsection may be used for the purpose of  
41 32 training.

41 33 b. A portion of the cost of each school-based liaison  
41 34 officer shall be paid by the school district or other funding  
41 35 source as approved by the chief juvenile court officer.

42 1 17. The department shall maximize the capacity to draw  
42 2 federal funding under Title IV=E of the federal Social  
42 3 Security Act.

42 4 18. Any unanticipated federal funding that is received  
42 5 during the fiscal year due to improvements in the hours  
42 6 counted by the judicial branch under the claiming process for  
42 7 federal Title IV=E funding are appropriated to the department  
42 8 to be used for additional or expanded services and support for  
42 9 court-ordered services pursuant to section 232.141.  
42 10 Notwithstanding section 8.33, moneys appropriated in this  
42 11 subsection that remain unencumbered or unobligated at the  
42 12 close of the fiscal year shall not revert but shall remain  
42 13 available for expenditure for the purposes designated until  
42 14 the close of the succeeding fiscal year.

42 15 19. Notwithstanding section 234.39, subsection 5, and 2000  
42 16 Iowa Acts, chapter 1228, section 43, the department may  
42 17 operate a subsidized guardianship program if the United States

42 18 department of health and human services approves a waiver  
42 19 under Title IV=E of the federal Social Security Act or the  
42 20 federal Social Security Act is amended to allow Title IV=E  
42 21 funding to be used for subsidized guardianship, and the  
42 22 subsidized guardianship program can be operated without loss  
42 23 of Title IV=E funds.

42 24 20. It is the intent of the general assembly that the  
42 25 department continue its practice of providing strong support  
42 26 for Iowa's nationally recognized initiative of  
42 27 decategorization of child welfare funding.

42 28 21. The department shall develop a plan for privatizing  
42 29 the administration of the foster care and adoption programs.  
42 30 The plan shall be submitted to the governor and the general  
42 31 assembly on or before December 15, 2003.

42 32 22. Notwithstanding section 237.5A, a foster parent who is  
42 33 unable to complete six hours of foster parent training prior  
42 34 to annual licensure renewal because the foster parent is  
42 35 engaged in active duty in the military service shall be  
43 1 considered to be in compliance with the training requirement  
43 2 for annual licensure renewal.

43 3 Sec. 19. JUVENILE DETENTION HOME FUND. Moneys deposited  
43 4 in the juvenile detention home fund created in section 232.142  
43 5 during the fiscal year beginning July 1, 2003, and ending June  
43 6 30, 2004, are appropriated to the department of human services  
43 7 for the fiscal year beginning July 1, 2003, and ending June  
43 8 30, 2004, for distribution as follows:

43 9 1. An amount equal to ten percent of the costs of the  
43 10 establishment, improvement, operation, and maintenance of  
43 11 county or multicounty juvenile detention homes in the fiscal  
43 12 year beginning July 1, 2002. Moneys appropriated for  
43 13 distribution in accordance with this subsection shall be  
43 14 allocated among eligible detention homes, prorated on the  
43 15 basis of an eligible detention home's proportion of the costs  
43 16 of all eligible detention homes in the fiscal year beginning  
43 17 July 1, 2002. Notwithstanding section 232.142, subsection 3,  
43 18 the financial aid payable by the state under that provision  
43 19 for the fiscal year beginning July 1, 2003, shall be limited  
43 20 to the amount appropriated for the purposes of this  
43 21 subsection.

43 22 2. For renewal of a grant to a county with a population  
43 23 between 189,000 and 196,000 for implementation of the county's  
43 24 runaway treatment plan under section 232.195:

43 25 ..... \$ 80,000

43 26 3. For continuation and expansion of the community  
43 27 partnership for child protection sites:

43 28 ..... \$ 159,000

43 29 4. For grants to counties implementing a runaway treatment  
43 30 plan under section 232.195.

43 31 5. The remainder for additional allocations to county or  
43 32 multicounty juvenile detention homes, in accordance with the  
43 33 distribution requirements of subsection 1.

43 34 Sec. 20. FAMILY SUPPORT SUBSIDY PROGRAM. There is  
43 35 appropriated from the general fund of the state to the  
44 1 department of human services for the fiscal year beginning  
44 2 July 1, 2003, and ending June 30, 2004, the following amount,  
44 3 or so much thereof as is necessary, to be used for the purpose  
44 4 designated:

44 5 For the family support subsidy program:

44 6 ..... \$ 1,936,434

44 7 1. The department may use up to \$333,312 of the moneys  
44 8 appropriated in this section to continue the children-at-home  
44 9 program in current counties, of which not more than \$20,000  
44 10 shall be used for administrative costs.

44 11 2. Notwithstanding section 225C.38, subsection 1, the  
44 12 monthly family support payment amount for the fiscal year  
44 13 beginning July 1, 2003, shall remain the same as the payment  
44 14 amount in effect on June 30, 2003.

44 15 Sec. 21. CONNER DECREE. There is appropriated from the  
44 16 general fund of the state to the department of human services  
44 17 for the fiscal year beginning July 1, 2003, and ending June  
44 18 30, 2004, the following amount, or so much thereof as is  
44 19 necessary, to be used for the purpose designated:

44 20 For building community capacity through the coordination  
44 21 and provision of training opportunities in accordance with the  
44 22 consent decree of Conner v. Branstad, No. 4=86=CV=30871(S.D.  
44 23 Iowa, July 14, 1994):

44 24 ..... \$ 42,623

44 25 Sec. 22. MENTAL HEALTH INSTITUTES. There is appropriated  
44 26 from the general fund of the state to the department of human  
44 27 services for the fiscal year beginning July 1, 2003, and  
44 28 ending June 30, 2004, the following amounts, or so much

44 29 thereof as is necessary, to be used for the purposes  
44 30 designated:

44 31 1. For the state mental health institute at Cherokee for  
44 32 salaries, support, maintenance, and miscellaneous purposes and  
44 33 for not more than the following full-time equivalent  
44 34 positions:

44 35 ..... \$ 12,401,246  
45 1 ..... FTEs 227.65

45 2 2. For the state mental health institute at Clarinda for  
45 3 salaries, support, maintenance, and miscellaneous purposes and  
45 4 for not more than the following full-time equivalent  
45 5 positions:

45 6 ..... \$ 7,065,672  
45 7 ..... FTEs 118.15

45 8 3. For the state mental health institute at Independence  
45 9 for salaries, support, maintenance, and miscellaneous purposes  
45 10 and for not more than the following full-time equivalent  
45 11 positions:

45 12 ..... \$ 16,912,302  
45 13 ..... FTEs 317.80

45 14 The state mental health institute at Independence shall  
45 15 continue the 30 psychiatric medical institution for children  
45 16 (PMIC) beds authorized in section 135H.6, in a manner which  
45 17 results in no net state expenditure amount in excess of the  
45 18 amount appropriated in this subsection. Counties are not  
45 19 responsible for the costs of PMIC services described in this  
45 20 subsection. Subject to the approval of the department, with  
45 21 the exception of revenues required under section 249A.11 to be  
45 22 credited to the appropriation in this Act for medical  
45 23 assistance, revenues attributable to the PMIC beds described  
45 24 in this subsection for the fiscal year beginning July 1, 2003,  
45 25 and ending June 30, 2004, shall be deposited in the  
45 26 institute's account, including but not limited to any of the  
45 27 following revenues:

45 28 a. The federal share of medical assistance revenue  
45 29 received under chapter 249A.

45 30 b. Moneys received through client participation.

45 31 c. Any other revenues directly attributable to the PMIC  
45 32 beds.

45 33 4. For the state mental health institute at Mount Pleasant  
45 34 for salaries, support, maintenance, and miscellaneous purposes  
45 35 and for not more than the following full-time equivalent  
46 1 positions:

46 2 ..... \$ 5,830,810  
46 3 ..... FTEs 100.44

46 4 a. Funding is provided in this subsection for the state  
46 5 mental health institute at Mount Pleasant to continue the dual  
46 6 diagnosis mental health and substance abuse program on a net  
46 7 budgeting basis in which 50 percent of the actual per diem and  
46 8 ancillary services costs are chargeable to the patient's  
46 9 county of legal settlement or as a state case, as appropriate.  
46 10 Subject to the approval of the department, revenues  
46 11 attributable to the dual diagnosis program for the fiscal year  
46 12 beginning July 1, 2003, and ending June 30, 2004, shall be  
46 13 deposited in the institute's account, including but not  
46 14 limited to all of the following revenues:

46 15 (1) Moneys received by the state from billings to counties  
46 16 under section 230.20.

46 17 (2) Moneys received from billings to the Medicare program.

46 18 (3) Moneys received from a managed care contractor  
46 19 providing services under contract with the department or any  
46 20 private third-party payor.

46 21 (4) Moneys received through client participation.

46 22 (5) Any other revenues directly attributable to the dual  
46 23 diagnosis program.

46 24 b. The following additional provisions are applicable in  
46 25 regard to the dual diagnosis program:

46 26 (1) A county may split the charges between the county's  
46 27 mental health, mental retardation, and developmental  
46 28 disabilities services fund and the county's budget for  
46 29 substance abuse expenditures.

46 30 (2) If an individual is committed to the custody of the  
46 31 department of corrections at the time the individual is  
46 32 referred for dual diagnosis treatment, the department of  
46 33 corrections shall be charged for the costs of treatment.

46 34 (3) Prior to an individual's admission for dual diagnosis  
46 35 treatment, the individual shall have been screened through a  
47 1 county's single entry point process to determine the  
47 2 appropriateness of the treatment.

47 3 (4) A county shall not be chargeable for the costs of  
47 4 treatment for an individual enrolled in and authorized by or

47 5 decertified by a managed behavioral care plan under the  
47 6 medical assistance program.

47 7 (5) Notwithstanding section 8.33, state mental health  
47 8 institute revenues related to the dual diagnosis program that  
47 9 remain unencumbered or unobligated at the close of the fiscal  
47 10 year shall not revert but shall remain available up to the  
47 11 amount which would allow the state mental health institute to  
47 12 meet credit obligations owed to counties as a result of year=  
47 13 end per diem adjustments for the dual diagnosis program.

47 14 5. Within the funds appropriated in this section, the  
47 15 department may transfer funds as necessary to best fulfill the  
47 16 needs of the institutes provided for in the appropriation.

47 17 6. As part of the discharge planning process at the state  
47 18 mental health institutes, the department shall provide  
47 19 assistance in obtaining eligibility for federal supplemental  
47 20 security income (SSI) to those individuals whose care at a  
47 21 state mental health institute is the financial responsibility  
47 22 of the state or a county.

47 23 Sec. 23. STATE RESOURCE CENTERS. There is appropriated  
47 24 from the general fund of the state to the department of human  
47 25 services for the fiscal year beginning July 1, 2003, and  
47 26 ending June 30, 2004, the following amounts, or so much  
47 27 thereof as is necessary, to be used for the purposes  
47 28 designated:

47 29 1. For the state resource center at Glenwood for salaries,  
47 30 support, maintenance, and miscellaneous purposes:

47 31 ..... \$ 4,399,479

47 32 2. For the state resource center at Woodward for salaries,  
47 33 support, maintenance, and miscellaneous purposes:

47 34 ..... \$ 2,660,237

47 35 3. a. The department shall continue operating the state  
48 1 resource centers at Glenwood and Woodward with a net general  
48 2 fund appropriation. The amounts allocated in this section are  
48 3 the net amounts of state moneys projected to be needed for the  
48 4 state resource centers. The purposes of operating with a net  
48 5 general fund appropriation are to encourage the state resource  
48 6 centers to operate with increased self-sufficiency, to improve  
48 7 quality and efficiency, and to support collaborative efforts  
48 8 between the state resource centers and counties and other  
48 9 funders of services available from the state resource centers.  
48 10 The state resource centers shall not be operated under the net  
48 11 appropriation in a manner which results in a cost increase to  
48 12 the state or cost shifting between the state, the medical  
48 13 assistance program, counties, or other sources of funding for  
48 14 the state resource centers. Moneys appropriated in this  
48 15 section may be used throughout the fiscal year in the manner  
48 16 necessary for purposes of cash flow management, and for  
48 17 purposes of cash flow management the state resource centers  
48 18 may temporarily draw more than the amounts appropriated,  
48 19 provided the amounts appropriated are not exceeded at the  
48 20 close of the fiscal year.

48 21 b. Subject to the approval of the department, except for  
48 22 revenues under section 249A.11, revenues attributable to the  
48 23 state resource centers for the fiscal year beginning July 1,  
48 24 2003, shall be deposited into each state resource center's  
48 25 account, including but not limited to all of the following:

48 26 (1) Moneys received by the state from billings to counties  
48 27 under section 222.73.

48 28 (2) The federal share of medical assistance revenue  
48 29 received under chapter 249A.

48 30 (3) Federal Medicare program payments.

48 31 (4) Moneys received from client financial participation.

48 32 (5) Other revenues generated from current, new, or  
48 33 expanded services which the state resource center is  
48 34 authorized to provide.

48 35 c. For the purposes of allocating the salary adjustment  
49 1 fund moneys appropriated in another Act, the state resource  
49 2 centers shall be considered to be funded entirely with state  
49 3 moneys.

49 4 d. Notwithstanding section 8.33, up to \$500,000 of a state  
49 5 resource center's revenues that remain unencumbered or  
49 6 unobligated at the close of the fiscal year shall not revert  
49 7 but shall remain available to be used in the succeeding fiscal  
49 8 year.

49 9 4. Within the funds appropriated in this section, the  
49 10 department may transfer funds as necessary to best fulfill the  
49 11 needs of the institutions provided for in the appropriation.

49 12 5. The department may continue to bill for state resource  
49 13 center services utilizing a scope of services approach used  
49 14 for private providers of ICFMR services, in a manner which  
49 15 does not shift costs between the medical assistance program,

49 16 counties, or other sources of funding for the state resource  
49 17 centers.

49 18 6. The state resource centers may expand the time limited  
49 19 assessment and respite services during the fiscal year.

49 20 7. If the department's administration and the department  
49 21 of management concur with a finding by a state resource  
49 22 center's superintendent that projected revenues can reasonably  
49 23 be expected to pay the salary and support costs for a new  
49 24 employee position, or that such costs for adding a particular  
49 25 number of new positions for the fiscal year would be less than  
49 26 the overtime costs if new positions would not be added, the  
49 27 superintendent may add the new position or positions. If the  
49 28 vacant positions available to a resource center do not include  
49 29 the position classification desired to be filled, the state  
49 30 resource center's superintendent may reclassify any vacant  
49 31 position as necessary to fill the desired position. The  
49 32 superintendents of the state resource centers may, by mutual  
49 33 agreement, pool vacant positions and position classifications  
49 34 during the course of the fiscal year in order to assist one  
49 35 another in filling necessary positions.

50 1 8. If existing capacity limitations are reached in  
50 2 operating units, a waiting list is in effect for a service or  
50 3 a special need for which a payment source or other funding is  
50 4 available for the service or to address the special need, and  
50 5 facilities for the service or to address the special need can  
50 6 be provided within the available payment source or other  
50 7 funding, the superintendent of a state resource center may  
50 8 authorize opening not more than two units or other facilities  
50 9 and to begin implementing the service or addressing the  
50 10 special need during fiscal year 2003=2004.

50 11 9. The state resource centers shall develop a proposal  
50 12 providing options for addressing the service needs of persons  
50 13 with developmental disabilities who behave in a manner that  
50 14 presents a danger to themselves or to others. The proposal  
50 15 shall be submitted to the governor and general assembly on or  
50 16 before December 15, 2003.

50 17 Sec. 24. MI/MR/DD STATE CASES. There is appropriated from  
50 18 the general fund of the state to the department of human  
50 19 services for the fiscal year beginning July 1, 2003, and  
50 20 ending June 30, 2004, the following amount, or so much thereof  
50 21 as is necessary, to be used for the purpose designated:

50 22 For purchase of local services for persons with mental  
50 23 illness, mental retardation, and developmental disabilities  
50 24 where the client has no established county of legal  
50 25 settlement:

50 26 ..... \$ 11,014,619

50 27 The general assembly encourages the department to continue  
50 28 discussions with the Iowa state association of counties and  
50 29 administrators of county central point of coordination offices  
50 30 regarding proposals for moving state cases to county budgets.

50 31 Sec. 25. MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES ==  
50 32 COMMUNITY SERVICES FUND. There is appropriated from the

50 33 general fund of the state to the mental health and  
50 34 developmental disabilities community services fund created in  
50 35 section 225C.7 for the fiscal year beginning July 1, 2003, and  
51 1 ending June 30, 2004, the following amount, or so much thereof  
51 2 as is necessary, to be used for the purpose designated:

51 3 For mental health and developmental disabilities community  
51 4 services in accordance with this Act:

51 5 ..... \$ 17,757,890

51 6 1. Of the funds appropriated in this section, \$17,727,890  
51 7 shall be allocated to counties for funding of community-based  
51 8 mental health and developmental disabilities services. The  
51 9 moneys shall be allocated to a county as follows:

51 10 a. Fifty percent based upon the county's proportion of the  
51 11 state's population of persons with an annual income which is  
51 12 equal to or less than the poverty guideline established by the  
51 13 federal office of management and budget.

51 14 b. Fifty percent based upon the county's proportion of the  
51 15 state's general population.

51 16 2. a. A county shall utilize the funding the county  
51 17 receives pursuant to subsection 1 for services provided to  
51 18 persons with a disability, as defined in section 225C.2.  
51 19 However, no more than 50 percent of the funding shall be used  
51 20 for services provided to any one of the service populations.

51 21 b. A county shall use at least 50 percent of the funding  
51 22 the county receives under subsection 1 for contemporary  
51 23 services provided to persons with a disability, as described  
51 24 in rules adopted by the department.

51 25 3. Of the funds appropriated in this section, \$30,000  
51 26 shall be used to support the Iowa compass program providing

51 27 computerized information and referral services for Iowans with  
51 28 disabilities and their families.

51 29 4. a. Funding appropriated for purposes of the federal  
51 30 social services block grant is allocated for distribution to  
51 31 counties for local purchase of services for persons with  
51 32 mental illness or mental retardation or other developmental  
51 33 disability.

51 34 b. The funds allocated in this subsection shall be  
51 35 expended by counties in accordance with the county's approved  
52 1 county management plan. A county without an approved county  
52 2 management plan shall not receive allocated funds until the  
52 3 county's management plan is approved.

52 4 c. The funds provided by this subsection shall be  
52 5 allocated to each county as follows:

52 6 (1) Fifty percent based upon the county's proportion of  
52 7 the state's population of persons with an annual income which  
52 8 is equal to or less than the poverty guideline established by  
52 9 the federal office of management and budget.

52 10 (2) Fifty percent based upon the amount provided to the  
52 11 county for local purchase of services in the preceding fiscal  
52 12 year.

52 13 5. A county is eligible for funds under this section if  
52 14 the county qualifies for a state payment as described in  
52 15 section 331.439.

52 16 Sec. 26. PERSONAL ASSISTANCE. There is appropriated from  
52 17 the general fund of the state to the department of human  
52 18 services for the fiscal year beginning July 1, 2003, and  
52 19 ending June 30, 2004, the following amount, or so much thereof  
52 20 as is necessary, to be used for the purpose designated:

52 21 For continuation of a pilot project for the personal  
52 22 assistance services program in accordance with this section:

52 23 ..... \$ 205,748

52 24 1. The funds appropriated in this section shall be used to  
52 25 continue the pilot project for the personal assistance  
52 26 services program under section 225C.46 in an urban and a rural  
52 27 area. Not more than 10 percent of the amount appropriated  
52 28 shall be used for administrative costs. The pilot project  
52 29 shall not be implemented in a manner which would require  
52 30 additional county or state costs for assistance provided to an  
52 31 individual served under the pilot project.

52 32 2. In accordance with 2001 Iowa Acts, chapter 191, section  
52 33 25, subsection 2, new applicants shall not be accepted into  
52 34 the pilot project. An individual receiving services under the  
52 35 pilot project as of June 30, 2003, shall continue receiving  
53 1 services until the individual voluntarily leaves the project  
53 2 or until another program with similar services exists.

53 3 Sec. 27. SEXUALLY VIOLENT PREDATORS.

53 4 1. There is appropriated from the general fund of the  
53 5 state to the department of human services for the fiscal year  
53 6 beginning July 1, 2003, and ending June 30, 2004, the  
53 7 following amount, or so much thereof as is necessary, to be  
53 8 used for the purpose designated:

53 9 For costs associated with the commitment and treatment of  
53 10 sexually violent predators in the unit located at the state  
53 11 mental health institute at Cherokee, including costs of legal  
53 12 services and other associated costs, including salaries,  
53 13 support, maintenance, and miscellaneous purposes and for not  
53 14 more than the following full-time equivalent positions:

53 15 ..... \$ 2,675,179

53 16 ..... FTEs 46.00

53 17 2. Unless specifically prohibited by law, if the amount  
53 18 charged provides for recoupment of at least the entire amount  
53 19 of direct and indirect costs, the department of human services  
53 20 may contract with other states to provide care and treatment  
53 21 of persons placed by the other states at the unit for sexually  
53 22 violent predators at Cherokee. The moneys received under such  
53 23 a contract shall be considered to be repayment receipts and  
53 24 used for the purposes of the appropriation made in this  
53 25 section.

53 26 Sec. 28. FIELD OPERATIONS. There is appropriated from the  
53 27 general fund of the state to the department of human services  
53 28 for the fiscal year beginning July 1, 2003, and ending June  
53 29 30, 2004, the following amount, or so much thereof as is  
53 30 necessary, to be used for the purposes designated:

53 31 1. For field operations, including salaries, support,  
53 32 maintenance, and miscellaneous purposes and for not more than  
53 33 the following full-time equivalent positions:

53 34 ..... \$ 50,657,828

53 35 ..... FTEs 1,800.00

54 1 Priority in filling full-time equivalent positions shall be  
54 2 given to those positions related to child protection services.

54 3 2. In operating the service area system established  
54 4 pursuant to 2001 Iowa Acts, Second Extraordinary Session,  
54 5 chapter 4, for the fiscal year beginning July 1, 2003, and  
54 6 ending June 30, 2004, the department shall utilize the service  
54 7 areas and service area administrators in lieu of regions and  
54 8 regional administrators, notwithstanding the references to  
54 9 department regions or regional administrators in sections  
54 10 232.2, 232.52, 232.68, 232.72, 232.102, 232.117, 232.127,  
54 11 232.143, 232.188, and 234.35, or other provision in law. The  
54 12 department shall submit proposed legislation under section  
54 13 2.16 for consideration by the Eightieth General Assembly, 2004  
54 14 Session, to correct the references in the necessary Code  
54 15 sections.

54 16 Sec. 29. GENERAL ADMINISTRATION. There is appropriated  
54 17 from the general fund of the state to the department of human  
54 18 services for the fiscal year beginning July 1, 2003, and  
54 19 ending June 30, 2004, the following amount, or so much thereof  
54 20 as is necessary, to be used for the purpose designated:

54 21 For general administration, including salaries, support,  
54 22 maintenance, and miscellaneous purposes and for not more than  
54 23 the following full-time equivalent positions:

54 24 ..... \$ 10,803,626  
54 25 ..... FTEs 286.00

54 26 1. Of the funds appropriated in this section, \$57,000 is  
54 27 allocated for the prevention of disabilities policy council  
54 28 established in section 225B.3.

54 29 2. Up to \$500,000 of the moneys received in any settlement  
54 30 of overpayments made to a child development center or to any  
54 31 other provider that results in a settlement in excess of  
54 32 \$150,000 shall be considered as repayment receipts and shall  
54 33 only be used for the costs of filling full-time equivalent  
54 34 positions authorized but not funded by the appropriations made  
54 35 for the purposes of this section.

55 1 Sec. 30. VOLUNTEERS. There is appropriated from the  
55 2 general fund of the state to the department of human services  
55 3 for the fiscal year beginning July 1, 2003, and ending June  
55 4 30, 2004, the following amount, or so much thereof as is  
55 5 necessary, to be used for the purpose designated:

55 6 For development and coordination of volunteer services:  
55 7 ..... \$ 109,568

55 8 Sec. 31. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY  
55 9 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER THE  
55 10 DEPARTMENT OF HUMAN SERVICES.

55 11 1. a. For the fiscal year beginning July 1, 2003, nursing  
55 12 facilities shall be reimbursed at 100 percent of the modified  
55 13 price-based case-mix reimbursement rate. Nursing facilities  
55 14 reimbursed under the medical assistance program shall submit  
55 15 annual cost reports and additional documentation as required  
55 16 by rules adopted by the department.

55 17 b. For the fiscal year beginning July 1, 2003, the  
55 18 department shall reimburse pharmacy dispensing fees using a  
55 19 single rate of \$4.26 per prescription or the pharmacy's usual  
55 20 and customary fee, whichever is lower.

55 21 c. For the fiscal year beginning July 1, 2003,  
55 22 reimbursement rates for inpatient and outpatient hospital  
55 23 services shall remain at the rates in effect on June 30, 2003.

55 24 The department shall continue the outpatient hospital  
55 25 reimbursement system based upon ambulatory patient groups  
55 26 implemented pursuant to 1994 Iowa Acts, chapter 1186, section  
55 27 25, subsection 1, paragraph "f". In addition, the department  
55 28 shall continue the revised medical assistance payment policy  
55 29 implemented pursuant to that paragraph to provide  
55 30 reimbursement for costs of screening and treatment provided in  
55 31 the hospital emergency room if made pursuant to the  
55 32 prospective payment methodology developed by the department  
55 33 for the payment of outpatient services provided under the  
55 34 medical assistance program. Any rebasing of hospital  
55 35 inpatient or outpatient rates shall not increase total  
56 1 payments for inpatient and outpatient services.

56 2 d. For the fiscal year beginning July 1, 2003,  
56 3 reimbursement rates for rural health clinics, hospices,  
56 4 independent laboratories, and acute mental hospitals shall be  
56 5 increased in accordance with increases under the federal  
56 6 Medicare program or as supported by their Medicare audited  
56 7 costs.

56 8 e. For the fiscal year beginning July 1, 2003,  
56 9 reimbursement rates for home health agencies shall remain at  
56 10 the rates in effect on June 30, 2003.

56 11 f. For the fiscal year beginning July 1, 2003, federally  
56 12 qualified health centers shall receive cost-based  
56 13 reimbursement for 100 percent of the reasonable costs for the

56 14 provision of services to recipients of medical assistance.  
56 15 g. Beginning July 1, 2003, the reimbursement rates for  
56 16 dental services shall remain at the rates in effect on June  
56 17 30, 2003.  
56 18 h. Beginning July 1, 2003, the reimbursement rates for  
56 19 community mental health centers shall remain at the rates in  
56 20 effect on June 30, 2003.  
56 21 i. For the fiscal year beginning July 1, 2003, the maximum  
56 22 reimbursement rate for psychiatric medical institutions for  
56 23 children shall remain at the rate in effect on June 30, 2003,  
56 24 based on per day rates for actual costs.  
56 25 j. For the fiscal year beginning July 1, 2003, unless  
56 26 otherwise specified in this Act, all noninstitutional medical  
56 27 assistance provider reimbursement rates shall remain at the  
56 28 rates in effect on June 30, 2003, except for area education  
56 29 agencies, local education agencies, infant and toddler  
56 30 services providers, and those providers whose rates are  
56 31 required to be determined pursuant to section 249A.20.  
56 32 k. Notwithstanding section 249A.20, the average  
56 33 reimbursement rates for health care providers eligible for use  
56 34 of the reimbursement methodology under that section shall  
56 35 remain at the rate in effect on June 30, 2003; however, this  
57 1 rate shall not exceed the maximum level authorized by the  
57 2 federal government.  
57 3 2. For the fiscal year beginning July 1, 2003, the  
57 4 reimbursement rate for residential care facilities shall not  
57 5 be less than the minimum payment level as established by the  
57 6 federal government to meet the federally mandated maintenance  
57 7 of effort requirement. The flat reimbursement rate for  
57 8 facilities electing not to file semiannual cost reports shall  
57 9 not be less than the minimum payment level as established by  
57 10 the federal government to meet the federally mandated  
57 11 maintenance of effort requirement.  
57 12 3. For the fiscal year beginning July 1, 2003, the  
57 13 reimbursement rate for providers reimbursed under the in-home=  
57 14 related care program shall not be less than the minimum  
57 15 payment level as established by the federal government to meet  
57 16 the federally mandated maintenance of effort requirement.  
57 17 4. Unless otherwise directed in this section, when the  
57 18 department's reimbursement methodology for any provider  
57 19 reimbursed in accordance with this section includes an  
57 20 inflation factor, this factor shall not exceed the amount by  
57 21 which the consumer price index for all urban consumers  
57 22 increased during the calendar year ending December 31, 2002.  
57 23 5. Notwithstanding section 234.38, in the fiscal year  
57 24 beginning July 1, 2003, the foster family basic daily  
57 25 maintenance rate and the maximum adoption subsidy rate for  
57 26 children ages 0 through 5 years shall be \$14.28, the rate for  
57 27 children ages 6 through 11 years shall be \$15.07, the rate for  
57 28 children ages 12 through 15 years shall be \$16.83, and the  
57 29 rate for children ages 16 and older shall be \$16.83.  
57 30 6. For the fiscal year beginning July 1, 2003, the maximum  
57 31 reimbursement rates for social service providers shall remain  
57 32 at the rates in effect on June 30, 2003. However, the rates  
57 33 may be adjusted under any of the following circumstances:  
57 34 a. If a new service was added after June 30, 2003, the  
57 35 initial reimbursement rate for the service shall be based upon  
58 1 actual and allowable costs.  
58 2 b. If a social service provider loses a source of income  
58 3 used to determine the reimbursement rate for the provider, the  
58 4 provider's reimbursement rate may be adjusted to reflect the  
58 5 loss of income, provided that the lost income was used to  
58 6 support actual and allowable costs of a service purchased  
58 7 under a purchase of service contract.  
58 8 7. The group foster care reimbursement rates paid for  
58 9 placement of children out of state shall be calculated  
58 10 according to the same rate-setting principles as those used  
58 11 for in-state providers unless the director of human services  
58 12 or the director's designee determines that appropriate care  
58 13 cannot be provided within the state. The payment of the daily  
58 14 rate shall be based on the number of days in the calendar  
58 15 month in which service is provided.  
58 16 8. For the fiscal year beginning July 1, 2003, the  
58 17 reimbursement rates for rehabilitative treatment and support  
58 18 services providers shall remain at the rates in effect on June  
58 19 30, 2003.  
58 20 9. For the fiscal year beginning July 1, 2003, the  
58 21 combined service and maintenance components of the  
58 22 reimbursement rate paid to a shelter care provider shall be  
58 23 based on the cost report submitted to the department. The  
58 24 maximum reimbursement rate shall be \$83.69 per day. The

58 25 department shall reimburse a shelter care provider at the  
58 26 provider's actual and allowable unit cost, plus inflation, not  
58 27 to exceed the maximum reimbursement rate.

58 28 10. For the fiscal year beginning July 1, 2003, the  
58 29 department shall calculate reimbursement rates for  
58 30 intermediate care facilities for persons with mental  
58 31 retardation at the 80th percentile.

58 32 11. For the fiscal year beginning July 1, 2003, for child  
58 33 care providers, the department shall set provider  
58 34 reimbursement rates based on the rate reimbursement survey  
58 35 completed in December 1998. The department shall set rates in  
59 1 a manner so as to provide incentives for a nonregistered  
59 2 provider to become registered.

59 3 12. For the fiscal year beginning July 1, 2003,  
59 4 reimbursements for providers reimbursed by the department of  
59 5 human services may be modified if appropriated funding is  
59 6 allocated for that purpose from the senior living trust fund  
59 7 created in section 249H.4, or as specified in appropriations  
59 8 from the healthy Iowans tobacco trust created in section  
59 9 12.65.

59 10 13. The department may adopt emergency rules to implement  
59 11 the hospital crossover claims process.

59 12 14. The department may adopt emergency rules to implement  
59 13 this section.

59 14 Sec. 32. TRANSFER AUTHORITY. Subject to the provisions of  
59 15 section 8.39, for the fiscal year beginning July 1, 2003, if  
59 16 necessary to meet federal maintenance of effort requirements  
59 17 or to transfer federal temporary assistance for needy families  
59 18 block grant funding to be used for purposes of the federal  
59 19 social services block grant or to meet cash flow needs  
59 20 resulting from delays in receiving federal funding or to  
59 21 implement, in accordance with this Act, targeted case  
59 22 management for child protection and for activities currently  
59 23 funded with juvenile court services, county, or community  
59 24 moneys and state moneys used in combination with such moneys,  
59 25 the department of human services may transfer within or  
59 26 between any of the appropriations made in this Act and  
59 27 appropriations in law for the federal social services block  
59 28 grant to the department for the following purposes, provided  
59 29 that the combined amount of state and federal temporary  
59 30 assistance for needy families block grant funding for each  
59 31 appropriation remains the same before and after the transfer:

- 59 32 1. For the family investment program.
- 59 33 2. For child care assistance.
- 59 34 3. For child and family services.
- 59 35 4. For field operations.
- 60 1 5. For general administration.
- 60 2 6. MH/MR/DD/BI community services (local purchase).

60 3 This section shall not be construed to prohibit existing  
60 4 state transfer authority for other purposes.

60 5 Sec. 33. FRAUD AND RECOUPMENT ACTIVITIES. During the  
60 6 fiscal year beginning July 1, 2003, notwithstanding the  
60 7 restrictions in section 239B.14, recovered moneys generated  
60 8 through fraud and recoupment activities are appropriated to  
60 9 the department of human services to be used for additional  
60 10 fraud and recoupment activities performed by the department of  
60 11 human services or the department of inspections and appeals,  
60 12 and the department of human services may add not more than  
60 13 five full-time equivalent positions, in addition to those  
60 14 funded in this Act, subject to both of the following  
60 15 conditions:

60 16 1. The director of human services determines that the  
60 17 investment can reasonably be expected to increase recovery of  
60 18 assistance paid in error, due to fraudulent or nonfraudulent  
60 19 actions, in excess of the amount recovered in the fiscal year  
60 20 beginning July 1, 1997.

60 21 2. The amount expended for the additional fraud and  
60 22 recoupment activities shall not exceed the amount of the  
60 23 projected increase in assistance recovered.

60 24 Sec. 34. ELECTRONIC BENEFIT TRANSFER IMPLEMENTATION  
60 25 NONREVERSION. Unspent funds appropriated in 2002 Iowa Acts,  
60 26 Second Extraordinary Session, chapter 1003, section 112, and  
60 27 allocated by the department of human services for the purpose  
60 28 of meeting federal food stamp electronic benefit transfer  
60 29 requirements shall not revert but shall remain available for  
60 30 the same purpose until the close of the succeeding fiscal  
60 31 year.

60 32 Sec. 35. VEHICLE DEPRECIATION. The following facilities  
60 33 and institutions administered by the department of human  
60 34 services are exempt from the depreciation requirement in  
60 35 section 18.120, subsection 1, and the appropriations for the

61 1 facilities, institutions, and the department shall not be  
61 2 charged for vehicle depreciation otherwise attributable to the  
61 3 facilities and institutions during the fiscal year beginning  
61 4 July 1, 2003:

- 61 5 1. The state juvenile institutions.
- 61 6 2. The state resource centers.
- 61 7 3. The state mental health institutes.
- 61 8 4. The unit for commitment of sexually violent predators  
61 9 located at the state mental health institute at Cherokee.

61 10 Sec. 36. NEW SECTION. 217A.1 PARENTAL INVOLVEMENT  
61 11 PROGRAM.

61 12 1. The department of human services shall convene an  
61 13 advisory group that includes representatives of the Iowa  
61 14 department of public health, the department of education, the  
61 15 department of workforce development, the department of  
61 16 corrections, the Iowa empowerment board, other state agencies  
61 17 that provide services to families, and representatives of  
61 18 business and industry, parents, faith-based organizations, and  
61 19 state and local community leaders, to present a plan to the  
61 20 general assembly that provides a comprehensive approach to  
61 21 policy and service delivery at the state, county, and local  
61 22 level and provides a network of services to assist both  
61 23 mothers and fathers in parenting their children. While the  
61 24 comprehensive approach shall address the needs of both  
61 25 parents, the focus shall be on creating a policy and service  
61 26 delivery system that provides a network of resources to assist  
61 27 fathers in becoming and remaining engaged in their children's  
61 28 lives. The plan shall be submitted on or before December 31,  
61 29 2003.

61 30 2. The comprehensive approach to parental involvement  
61 31 shall provide for all of the following:

61 32 a. STRUCTURE AND POLICIES.

61 33 (1) Identification of practices that interfere with or  
61 34 fail to help fathers become or remain engaged in their  
61 35 children's lives.

62 1 (2) Development of flexible service delivery options  
62 2 within the state system, including the public assistance  
62 3 system, to address the varying needs of families which may  
62 4 include modifying traditional enforcement of program  
62 5 requirements, referral to services, or other options.

62 6 (3) Continuation of child support program efforts to  
62 7 assist fathers in providing for their children and remaining  
62 8 engaged in their children's lives while complying with federal  
62 9 requirements. The efforts may include continuing the  
62 10 fatherhood internet site, seeking additional federal access  
62 11 and visitation grants, and applying for other federal funds  
62 12 that become available, for the purpose of actively engaging  
62 13 fathers in the lives of their children.

62 14 (4) Integration of the state system and community level  
62 15 services to provide a social service network that is  
62 16 accessible to fathers as well as mothers.

62 17 (5) Creation of a systemwide approach for delivery of  
62 18 services to families that creates a family support network  
62 19 that does all of the following:

62 20 (a) Trains service workers to include both fathers and  
62 21 mothers as a family unit, rather than separately, in the  
62 22 delivery of services.

62 23 (b) Promotes a common awareness across disciplines, for  
62 24 workers providing services to parents and families, of the  
62 25 importance of both parents in children's lives.

62 26 (c) Systematically engages both parents and does not  
62 27 segment families in the provision of services.

62 28 (d) Improves communication across delivery systems.

62 29 (e) Provides for the partnering of various disciplines and  
62 30 levels of government in providing services to parents and  
62 31 families.

62 32 b. CONNECTING FATHERS WITH NECESSARY SERVICES.

62 33 (1) Utilization of the existing service system to connect  
62 34 fathers with local community-based services that help fathers  
62 35 develop the skills to become better parents and partners and  
63 1 more productive members of the workforce.

63 2 (2) Utilization of employment opportunities and training  
63 3 as catalysts to involve fathers with programs that help  
63 4 fathers develop skills to retain jobs and build healthy  
63 5 relationships.

63 6 c. PUBLIC AWARENESS.

63 7 (1) Promotion of public awareness of the importance of the  
63 8 emotional and financial involvement of both parents in their  
63 9 children's lives.

63 10 (2) Use of the media to encourage parents to discuss  
63 11 pregnancy prevention and parental responsibility with their

63 12 children.

63 13 Sec. 37. Section 234.35, subsection 1, paragraph c, Code  
63 14 2003, is amended to read as follows:

63 15 c. When the department has agreed to provide foster care  
63 16 services for the child for a period of not more than ~~thirty~~  
63 17 ninety days on the basis of a signed placement agreement  
63 18 between the department and the child's parent or guardian  
63 19 ~~initiated on or after July 1, 1992.~~

63 20 Sec. 38. Section 514I.4, Code 2003, is amended by adding  
63 21 the following new subsection:

63 22 NEW SUBSECTION. 1A. The director, with the approval of  
63 23 the board, may contract with participating insurers to provide  
63 24 dental only services.

63 25 Sec. 39. Section 514I.5, Code 2003, is amended by adding  
63 26 the following new subsection:

63 27 NEW SUBSECTION. 9. The hawk=i board may provide approval  
63 28 to the director to contract with participating insurers to  
63 29 provide dental only services. In determining whether to  
63 30 provide such approval to the director, the board shall take  
63 31 into consideration the impact on the overall program of single  
63 32 source contracting for dental services.

63 33 Sec. 40. 2002 Iowa Acts, chapter 1125, section 1,  
63 34 subsection 2, paragraphs b and d, are amended to read as  
63 35 follows:

~~64 1 b. Amending rules to maintain the group care standard for  
64 2 a weekly average number of hours of therapy and counseling,  
64 3 but determine compliance by averaging the hours per week over  
64 4 the course of a month for group care documentation and  
64 5 recoupment to streamline requirements relating to skills  
64 6 development by removing the requirements for billed services  
64 7 documentation and clarifying the requirements for meeting  
64 8 weekly average hours of therapy and counseling and the  
64 9 methodology for determining compliance and overpayments. The  
64 10 recoupment for failure to comply shall be applied for a week  
64 11 at a time for noncompliance, not to exceed the number of days  
64 12 paid. This standard shall not be applied to a highly  
64 13 structured juvenile group care program.~~

~~64 14 d. Utilizing a weekly results summary for documentation of  
64 15 the group care requirement for daily provision of skills  
64 16 development.~~

64 17 Sec. 41. 2002 Iowa Acts, chapter 1175, section 104, is  
64 18 amended to read as follows:

64 19 SEC. 104. COUNTY MENTAL HEALTH, MENTAL RETARDATION, AND  
64 20 DEVELOPMENTAL DISABILITIES ALLOWED GROWTH FACTOR ADJUSTMENT  
64 21 AND ALLOCATIONS == FISCAL YEAR 2003=2004. There is  
64 22 appropriated from the general fund of the state to the  
64 23 department of human services for the fiscal year beginning  
64 24 July 1, 2003, and ending June 30, 2004, the following amount,  
64 25 or so much thereof as is necessary, to be used for the purpose  
64 26 designated:

64 27 For distribution to counties of the county mental health,  
64 28 mental retardation, and developmental disabilities allowed  
64 29 growth factor adjustment, as provided in this section in lieu  
64 30 of the provisions of section 331.438, subsection 2, and  
64 31 section 331.439, subsection 3, and chapter 426B:  
64 32 ..... \$ 19,073,638

64 33 1. The funding appropriated in this section is the allowed  
64 34 growth factor adjustment for fiscal year 2003=2004, and is  
64 35 allocated as follows:

65 1 a. For distribution as provided in this section:  
65 2 ..... \$ 17,073,638

65 3 b. For deposit in the risk pool created in the property  
65 4 tax relief fund and for distribution in accordance with  
65 5 section 426B.5, subsection 2:  
65 6 ..... \$ 2,000,000

65 7 2. The following formula amounts shall be utilized only to  
65 8 calculate preliminary distribution amounts for fiscal year  
65 9 2003=2004 under this section by applying the indicated formula  
65 10 provisions to the formula amounts and producing a preliminary  
65 11 distribution total for each county:

65 12 a. For calculation of an allowed growth factor adjustment  
65 13 amount for each county in accordance with the formula in  
65 14 section 331.438, subsection 2, paragraph "b":  
65 15 ..... \$ 12,000,000

65 16 b. For calculation of a distribution amount for eligible  
65 17 counties from the per capita expenditure target pool created  
65 18 in the property tax relief fund in accordance with the  
65 19 requirements in section 426B.5, subsection 1:  
65 20 ..... \$ 12,492,712

65 21 c. For calculation of a distribution amount for counties  
65 22 from the mental health and developmental disabilities (MH/DD)

65 23 community services fund in accordance with the formula  
65 24 provided in ~~2002 Iowa Acts, Senate File 2326, section 119,~~  
~~65 25 subsection 1 the appropriation made for the MH/DD community~~  
65 26 ~~services fund for the fiscal year beginning July 1, 2003:~~

65 27	.....	\$ 18,127,352
65 28		17,727,890

65 29 3. Notwithstanding any contrary provisions of sections  
65 30 225C.7, 331.438, subsection 2, 331.439, subsection 3, and  
65 31 426B.5, the moneys allocated for distribution in subsection 1,  
65 32 paragraph "b", and in any other Act of the Eightieth General  
65 33 Assembly, 2003 Session, for distribution to counties in the  
65 34 fiscal year beginning July 1, 2003, for purposes of the mental  
65 35 health and developmental disabilities (MH/DD) community  
66 1 services fund under section 225C.7, and for the allowed growth  
66 2 factor adjustment for services paid under a county's section  
66 3 331.424A mental health, mental retardation, and developmental  
66 4 disabilities services fund and as calculated under subsection  
66 5 2 to produce preliminary distribution amounts for counties  
66 6 shall be subject to withholding as provided in this section.  
66 7 4. After applying the applicable statutory distribution  
66 8 formulas to the amounts indicated in subsection 2 for purposes  
66 9 to produce preliminary distribution totals, the department of  
66 10 human services shall apply a withholding factor to adjust an  
66 11 eligible individual county's preliminary distribution total.  
66 12 An ending balance percentage for each county shall be  
66 13 determined by expressing the county's ending balance on a  
66 14 modified accrual basis under generally accepted accounting  
66 15 principles for the fiscal year beginning July 1, 2002, in the  
66 16 county's mental health, mental retardation, and developmental  
66 17 disabilities services fund created under section 331.424A, as  
66 18 a percentage of the county's gross expenditures from that fund  
66 19 for that fiscal year. The withholding factor for a county  
66 20 shall be the following applicable percent:

- 66 21 a. For an ending balance percentage of less than 10
- 66 22 percent, a withholding factor of 0 percent.
- 66 23 b. For an ending balance percentage of 10 through 24
- 66 24 percent, a withholding factor of 25 percent.
- 66 25 c. For an ending balance percentage of 25 through 34
- 66 26 percent, a withholding factor of 60 percent.
- 66 27 d. For an ending balance percentage of 35 through 44
- 66 28 percent, a withholding factor of 85 percent.
- 66 29 e. For an ending balance percentage of 45 percent or more,
- 66 30 a withholding factor of 100 percent.

66 31 5. The total withholding amounts applied pursuant to  
66 32 subsection 4 shall be equal to a withholding target amount of  
66 33 \$7,419,074 and the appropriation enacted by the Eightieth  
66 34 General Assembly, 2003 Session, for the MH/DD community  
66 35 services fund shall be reduced by the amount necessary to  
67 1 attain the withholding target amount. If the department of  
67 2 human services determines that the amount to be withheld in  
67 3 accordance with subsection 4 is not equal to the target  
67 4 withholding amount, the department shall adjust the  
67 5 withholding factors listed in subsection 4 as necessary to  
67 6 achieve the withholding target amount. However, in making  
67 7 such adjustments to the withholding factors, the department  
67 8 shall strive to minimize changes to the withholding factors  
67 9 for those ending balance percentage ranges that are lower than  
67 10 others and shall not adjust the zero withholding factor  
67 11 specified in subsection 4, paragraph "a".  
67 12 6. A county must comply with both the requirements listed  
67 13 in this subsection to be eligible to receive a funding  
67 14 distribution under this section. The amount that would  
67 15 otherwise be available for distribution to a county that fails  
67 16 to so comply shall be proportionately distributed among the  
67 17 eligible counties. Both of the following requirements are  
67 18 applicable:

- 67 19 a. A county must comply with the December 1, 2003, filing
- 67 20 deadline for the county annual financial report in accordance
- 67 21 with section 331.403.
- 67 22 b. A county must levy the not less than 70 percent of the
- 67 23 maximum amount allowed for the county's mental health, mental
- 67 24 retardation, and developmental disabilities services fund
- 67 25 under section 331.424A for taxes due and payable in the fiscal
- 67 26 year beginning July 1, 2003.
- 67 27 7. The department of human services shall authorize the
- 67 28 issuance of warrants payable to the county treasurer for the
- 67 29 distribution amounts due the counties eligible under this
- 67 30 section and notwithstanding prior practice for the MH/DD
- 67 31 community services fund, the warrants shall be issued in
- 67 32 January 2004.
- 67 33 Sec. 42. 2002 Iowa Acts, Second Extraordinary Session,

67 34 chapter 1003, section 126, subsection 3, paragraph d, is  
67 35 amended to read as follows:

68 1 d. Notwithstanding section 8.33, ~~up to \$500,000~~ of a state  
68 2 resource center's revenues that remain unencumbered or  
68 3 unobligated at the close of the fiscal year shall not revert  
68 4 but shall remain available to be used in the succeeding fiscal  
68 5 year.

68 6 Sec. 43. 2002 Iowa Acts, Second Extraordinary Session,  
68 7 chapter 1003, section 131, is amended by adding the following  
68 8 new unnumbered paragraph:

68 9 NEW UNNUMBERED PARAGRAPH. Notwithstanding section 8.33,  
68 10 moneys appropriated in this section that remain unencumbered  
68 11 or unobligated at the close of the fiscal year shall not  
68 12 revert but shall remain available until the close of the  
68 13 succeeding fiscal year for the purposes designated under this  
68 14 section.

68 15 Sec. 44. EMERGENCY RULES. If specifically authorized by a  
68 16 provision of this Act, the department of human services or the  
68 17 mental health and developmental disabilities commission may  
68 18 adopt administrative rules under section 17A.4, subsection 2,  
68 19 and section 17A.5, subsection 2, paragraph "b", to implement  
68 20 the provisions and the rules shall become effective  
68 21 immediately upon filing or on a later effective date specified  
68 22 in the rules, unless the effective date is delayed by the  
68 23 administrative rules review committee. Any rules adopted in  
68 24 accordance with this section shall not take effect before the  
68 25 rules are reviewed by the administrative rules review  
68 26 committee. The delay authority provided to the administrative  
68 27 rules review committee under section 17A.4, subsection 5, and  
68 28 section 17A.8, subsection 9, shall be applicable to a delay  
68 29 imposed under this section, notwithstanding a provision in  
68 30 those sections making them inapplicable to section 17A.5,  
68 31 subsection 2, paragraph "b". Any rules adopted in accordance  
68 32 with the provisions of this section shall also be published as  
68 33 notice of intended action as provided in section 17A.4.

68 34 Sec. 45. REPORTS.

68 35 1. Any reports or information required to be compiled and  
69 1 submitted under this Act shall be submitted to the  
69 2 chairpersons and ranking members of the joint appropriations  
69 3 subcommittee on health and human services, the legislative  
69 4 fiscal bureau, the legislative service bureau, and to the  
69 5 legislative caucus staffs on or before the dates specified for  
69 6 submission of the reports or information.

69 7 2. In order to reduce mailing and paper processing costs,  
69 8 the department shall provide, to the extent feasible, reports,  
69 9 notices, minutes, and other documents by electronic means to  
69 10 those persons who have the capacity to access the documents in  
69 11 that manner.

69 12 Sec. 46. LAW INAPPLICABLE FOR FISCAL YEAR 2003=2004.

69 13 1. The following provisions in Code or rule shall be  
69 14 suspended for the period beginning July 1, 2003, and ending  
69 15 June 30, 2004:

69 16 a. The requirements of section 239B.2A, relating to school  
69 17 attendance by children participating in the family investment  
69 18 program.

69 19 b. For a case permanency plan, as defined in section  
69 20 232.2, the requirement for a six-month case permanency plan  
69 21 review for an intact family.

69 22 c. The requirements of section 225C.42, relating to an  
69 23 annual evaluation of the family support subsidy program.

69 24 2. The department may adopt emergency rules to implement  
69 25 the provisions of this section.

69 26 Sec. 47. EFFECTIVE DATES. The following provisions of  
69 27 this division of this Act, being deemed of immediate  
69 28 importance, take effect upon enactment:

69 29 1. The provision under the appropriation for child and  
69 30 family services, relating to requirements of section 232.143  
69 31 for representatives of the department of human services and  
69 32 juvenile court services to establish a plan for continuing  
69 33 group foster care expenditures for the 2002=2003 fiscal year.

69 34 2. The provision under the appropriation for child and  
69 35 family services, relating to the state court administrator  
70 1 determining allocation of court-ordered services funding by  
70 2 June 15, 2003.

70 3 3. The provision under the appropriation for child and  
70 4 family services, relating to the requirements in section  
70 5 237.5A involving a foster parent unable to complete annual  
70 6 training due to being engaged in active duty in the military  
70 7 service.

70 8 4. The provision relating to unspent funds for food stamp  
70 9 electronic benefit transfer remaining available from the

70 10 appropriation made in 2002 Iowa Acts, Second Extraordinary  
70 11 Session, chapter 1003, section 112, for the 2003=2004 fiscal  
70 12 year.  
70 13 5. The provisions amending 2002 Iowa Acts, Second  
70 14 Extraordinary Session, chapter 1003, sections 126 and 131,  
70 15 relating to nonreversion of moneys appropriated in fiscal year  
70 16 2002=2003 for the state resource centers and for the sexually  
70 17 violent predator program.

70 18 DIVISION IV

70 19 SENIOR LIVING TRUST FUND

70 20 Sec. 48. DEPARTMENT OF ELDER AFFAIRS. There is  
70 21 appropriated from the senior living trust fund created in  
70 22 section 249H.4 to the department of elder affairs for the  
70 23 fiscal year beginning July 1, 2003, and ending June 30, 2004,  
70 24 the following amount, or so much thereof as is necessary, to  
70 25 be used for the purpose designated:

70 26 For the development and implementation of a comprehensive  
70 27 senior living program, including program administration and  
70 28 costs associated with implementation, salaries, support,  
70 29 maintenance, and miscellaneous purposes:

70 30 ..... \$ 7,480,814

70 31 1. It is the intent of the general assembly that the  
70 32 department not transfer moneys appropriated to the department  
70 33 for purposes of the assisted living program and adult day care  
70 34 for the fiscal year beginning July 1, 2003.

70 35 2. Notwithstanding section 249H.7, the department of elder  
71 1 affairs shall distribute up to \$300,000 of the funds  
71 2 appropriated in this section in a manner that will supplement  
71 3 and maximize federal funds under the federal Older Americans  
71 4 Act and shall not use the amount distributed for any  
71 5 administrative purposes of either the department of elder  
71 6 affairs or the area agencies on aging.

71 7 Sec. 49. DEPARTMENT OF INSPECTIONS AND APPEALS. There is  
71 8 appropriated from the senior living trust fund created in  
71 9 section 249H.4 to the department of inspections and appeals  
71 10 for the fiscal year beginning July 1, 2003, and ending June  
71 11 30, 2004, the following amount, or so much thereof as is  
71 12 necessary, to be used for the purpose designated:

71 13 For the inspection and certification of assisted living  
71 14 facilities and adult day care services, including program  
71 15 administration and costs associated with implementation,  
71 16 salaries, support, maintenance, and miscellaneous purposes and  
71 17 for not more than the following full-time equivalent  
71 18 positions:

71 19 ..... \$ 800,000

71 20 ..... FTEs 6.00

71 21 Sec. 50. DEPARTMENT OF HUMAN SERVICES. There is  
71 22 appropriated from the senior living trust fund created in  
71 23 section 249H.4 to the department of human services for the  
71 24 fiscal year beginning July 1, 2003, and ending June 30, 2004,  
71 25 the following amounts, or so much thereof as is necessary, to  
71 26 be used for the purposes designated:

71 27 1. To provide grants to nursing facilities for conversion  
71 28 to assisted living programs or to provide long-term care  
71 29 alternatives and to provide grants to ICF/MR for conversion to  
71 30 assisted living programs or home and community-based services  
71 31 and to provide grants to long-term care providers for  
71 32 development of long-term care alternatives:

71 33 ..... \$ 20,000,000

71 34 Up to 25 percent of this amount may be used for development  
71 35 of less restrictive community-based services with a  
72 1 significant focus on reducing the numbers of persons served in  
72 2 state resource centers and other intermediate care facilities  
72 3 for persons with mental retardation as well as for activities  
72 4 designed to facilitate the planning for or placement of such  
72 5 services and persons.

72 6 2. To supplement the medical assistance appropriation,  
72 7 including program administration and costs associated with  
72 8 implementation, salaries, support, maintenance, and  
72 9 miscellaneous purposes, and for not more than the following  
72 10 full-time equivalent positions:

72 11 ..... \$101,600,000

72 12 ..... FTEs 5.00

72 13 3. To provide reimbursement for health care services and  
72 14 rent expenses to eligible persons through the home and  
72 15 community-based services waiver and the state supplementary  
72 16 assistance program, including program administration and data  
72 17 system costs associated with implementation, salaries,  
72 18 support, maintenance, and miscellaneous purposes:

72 19 ..... \$ 1,733,406

72 20 Participation in the rent subsidy program shall be limited

72 21 to only those persons who are at risk for nursing facility  
72 22 care. The department shall adopt emergency rules to implement  
72 23 this provision.

72 24 4. To implement nursing facility provider reimbursements  
72 25 as provided in 2001 Iowa Acts, chapter 192, section 4,  
72 26 subsection 2, paragraph "c":  
72 27 .....

72 27 ..... \$ 29,950,000

72 28 In order to carry out the purposes of this section, the  
72 29 department shall transfer funds appropriated in this section  
72 30 to supplement other appropriations made to the department of  
72 31 human services.

72 32 5. Notwithstanding sections 249H.4 and 249H.5, the  
72 33 department of human services may use moneys from the senior  
72 34 living trust fund for cash flow purposes to make payments  
72 35 under the nursing facility or hospital upper payment limit  
73 1 methodology. The amount of any moneys so used shall be  
73 2 refunded to the senior living trust fund within the same  
73 3 fiscal year and in a prompt manner.

73 4 6. Notwithstanding section 8.33, moneys committed to  
73 5 grantees under contract to provide for conversion to assisted  
73 6 living programs or for development of long-term care  
73 7 alternatives that remain unexpended at the close of the fiscal  
73 8 year shall not revert to any fund but shall remain available  
73 9 for expenditure for purposes of the contract.

73 10 Sec. 51. CONVERSION GRANT PROJECTS == RULES.

73 11 1. For the fiscal year beginning July 1, 2003, and ending  
73 12 June 30, 2004, the department of human services shall continue  
73 13 to give greater weight in the scoring methodology to nursing  
73 14 facility conversion projects that are primarily for the  
73 15 renovation and remodeling of the existing nursing facility  
73 16 structure and give less weight to conversion projects that are  
73 17 primarily for new construction. The department of human  
73 18 services shall encourage cooperative efforts between the  
73 19 department of inspections and appeals, the state fire marshal,  
73 20 and the grant applicant to promote the acceptance of nursing  
73 21 facility conversion projects that are primarily renovation and  
73 22 remodeling of the existing nursing facility structure.

73 23 2. For the fiscal year beginning July 1, 2003, and ending  
73 24 June 30, 2004, the department of inspections and appeals shall  
73 25 certify all assisted living programs established through  
73 26 nursing facility conversion grants. The department of  
73 27 inspections and appeals shall consult with conversion grant  
73 28 applicants and recipients to establish and monitor occupancy  
73 29 agreements and assisted living program residents shall be  
73 30 allowed access to third-party payors.

73 31 DIVISION V  
73 32 HOSPITAL TRUST FUND

73 33 Sec. 52. DEPARTMENT OF HUMAN SERVICES APPROPRIATION.  
73 34 There is appropriated from the hospital trust fund created in  
73 35 section 249I.4 to the department of human services for the  
74 1 fiscal year beginning July 1, 2003, and ending June 30, 2004,  
74 2 the following amount, or so much thereof as is necessary, to  
74 3 be used for the purpose designated:

74 4 To supplement the medical assistance appropriation:

74 5 ..... \$ 15,000,000

74 6 DIVISION VI

74 7 MEDICAL ASSISTANCE PROGRAM SUPPLEMENTATION

74 8 Sec. 53. MEDICAL ASSISTANCE APPROPRIATION SUPPLEMENTATION  
74 9 == FISCAL YEAR 2002=2003. There is appropriated from the  
74 10 following sources, to the department of human services, for  
74 11 the fiscal year beginning July 1, 2002, and ending June 30,  
74 12 2003, the following amounts, or so much thereof as is  
74 13 necessary, to supplement the appropriations made for the  
74 14 medical assistance program for that fiscal year:

74 15 1. From the general fund of the state:

74 16 ..... \$ 41,535,000

74 17 2. From the senior living trust fund created in section  
74 18 249H.4:

74 19 ..... \$ 9,465,000

74 20 3. From the hospital trust fund created in section 249I.4:

74 21 ..... \$ 7,000,000

74 22 Sec. 54. MEDICAL ASSISTANCE PROGRAM == REVERSION TO SENIOR  
74 23 LIVING TRUST FUND FOR FY 2002=2003. Notwithstanding section  
74 24 8.33, if moneys appropriated in this division for  
74 25 supplementation of the medical assistance program  
74 26 appropriation for the fiscal year beginning July 1, 2002, and  
74 27 ending June 30, 2003, from the general fund of the state, the  
74 28 senior living trust fund, and the hospital trust fund are in  
74 29 excess of actual expenditures for the medical assistance  
74 30 program and remain unencumbered or unobligated at the close of  
74 31 the fiscal year, the excess moneys shall not revert but shall

74 32 be transferred to the senior living trust fund created in  
74 33 section 249H.4.

74 34 Sec. 55. EFFECTIVE DATE. This division of this Act, being  
74 35 deemed of immediate importance, takes effect upon enactment.

75 1 DIVISION VII  
75 2 COMMISSION OF VETERANS AFFAIRS

75 3 Sec. 56. COMMISSION OF VETERANS AFFAIRS. There is  
75 4 appropriated from the general fund of the state to the  
75 5 commission of veterans affairs for the fiscal year beginning  
75 6 July 1, 2003, and ending June 30, 2004, the following amounts,  
75 7 or so much thereof as is necessary, to be used for the  
75 8 purposes designated:

75 9 1. COMMISSION OF VETERANS AFFAIRS ADMINISTRATION  
75 10 For salaries, support, maintenance, miscellaneous purposes,  
75 11 including the war orphans educational aid fund established  
75 12 pursuant to chapter 35, and for not more than the following  
75 13 full-time equivalent positions:  
75 14 ..... \$ 288,193  
75 15 ..... FTEs 4.00

75 16 The commission of veterans affairs may use the gifts  
75 17 accepted by the chairperson of the commission of veterans  
75 18 affairs, or designee, and other resources available to the  
75 19 commission for use at its Camp Dodge office. The commission  
75 20 shall report annually to the governor and the general assembly  
75 21 on monetary gifts received by the commission for the Camp  
75 22 Dodge office.

75 23 2. IOWA VETERANS HOME  
75 24 For salaries, support, maintenance, miscellaneous purposes,  
75 25 and for not more than the following full-time equivalent  
75 26 positions:  
75 27 ..... \$ 14,205,741  
75 28 ..... FTEs 843.50

75 29 a. The Iowa veterans home may use the gifts accepted by  
75 30 the chairperson of the commission of veterans affairs and  
75 31 other resources available to the commission for use at the  
75 32 Iowa veterans home.

75 33 b. Any Iowa veterans home successor contractor shall not  
75 34 consider employees of a state institution or facility to be  
75 35 new employees for purposes of employee wages, health  
76 1 insurance, or retirement benefits.

76 2 c. The chairpersons and ranking members of the joint  
76 3 appropriations subcommittee on health and human services or  
76 4 successor subcommittee shall be notified by January 15 of any  
76 5 calendar year during which a request for proposals is  
76 6 anticipated to be issued regarding any Iowa veterans home  
76 7 contract involving employment, for purposes of providing  
76 8 legislative review and oversight.

76 9 d. The Iowa veterans home shall operate with a net state  
76 10 general fund appropriation. The amount appropriated in this  
76 11 subsection is the net amount of state moneys projected to be  
76 12 needed for the Iowa veterans home. The purposes of operating  
76 13 with a net state general fund appropriation are to encourage  
76 14 the Iowa veterans home to operate with increased self=  
76 15 sufficiency, to improve quality and efficiency, and to support  
76 16 collaborative efforts among all funders of services available  
76 17 from the Iowa veterans home. Moneys appropriated in this  
76 18 subsection may be used throughout the fiscal year in the  
76 19 manner necessary for purposes of cash flow management, and for  
76 20 purposes of cash flow management the Iowa veterans home may  
76 21 temporarily draw more than the amount appropriated, provided  
76 22 the amount appropriated is not exceeded at the close of the  
76 23 fiscal year.

76 24 e. Revenues attributable to the Iowa veterans home for the  
76 25 fiscal year beginning July 1, 2003, shall be deposited into  
76 26 the Iowa veterans home account and shall be treated as  
76 27 repayment receipts, including but not limited to all of the  
76 28 following:

- 76 29 (1) Federal veterans administration payments.
- 76 30 (2) Medical assistance revenue received under chapter  
76 31 249A.
- 76 32 (3) Federal Medicare program payments.
- 76 33 (4) Moneys received from client financial participation.
- 76 34 (5) Other revenues generated from current, new, or  
76 35 expanded services which the Iowa veterans home is authorized  
77 1 to provide.

77 2 f. For the purposes of allocating the salary adjustment  
77 3 fund moneys appropriated in another Act, the Iowa veterans  
77 4 home shall be considered to be funded entirely with state  
77 5 moneys.

77 6 g. Notwithstanding section 8.33, up to \$500,000 of the  
77 7 Iowa veterans home revenues that remain unencumbered or

77 8 unobligated at the close of the fiscal year shall not revert  
77 9 but shall remain available to be used in the succeeding fiscal  
77 10 year.

77 11 Sec. 57. 2002 Iowa Acts, Second Extraordinary Session,  
77 12 chapter 1003, section 102, subsection 2, paragraph g, is  
77 13 amended to read as follows:

77 14 g. Notwithstanding section 8.33, up to ~~\$500,000~~ \$1,000,000  
77 15 of the Iowa veterans home revenues that remain unencumbered or  
77 16 unobligated at the close of the fiscal year shall not revert  
77 17 but shall remain available to be used in the succeeding fiscal  
77 18 year.

77 19 Sec. 58. EFFECTIVE DATE. The section of this division of  
77 20 this Act amending 2002 Iowa Acts, Second Extraordinary  
77 21 Session, chapter 1003, section 102, being deemed of immediate  
77 22 importance, takes effect upon enactment.

77 23  
77 24

77 25 \_\_\_\_\_  
77 26 CHRISTOPHER C. RANTS  
77 27 Speaker of the House

77 28  
77 29

77 30 \_\_\_\_\_  
77 31 MARY E. KRAMER  
77 32 President of the Senate

77 33

77 34 I hereby certify that this bill originated in the House and  
77 35 is known as House File 667, Eightieth General Assembly.

78 1  
78 2

78 3 \_\_\_\_\_  
78 4 MARGARET THOMSON  
78 5 Chief Clerk of the House

78 6 Approved \_\_\_\_\_, 2003

78 7  
78 8

78 9 \_\_\_\_\_  
78 10 THOMAS J. VILSACK  
78 11 Governor